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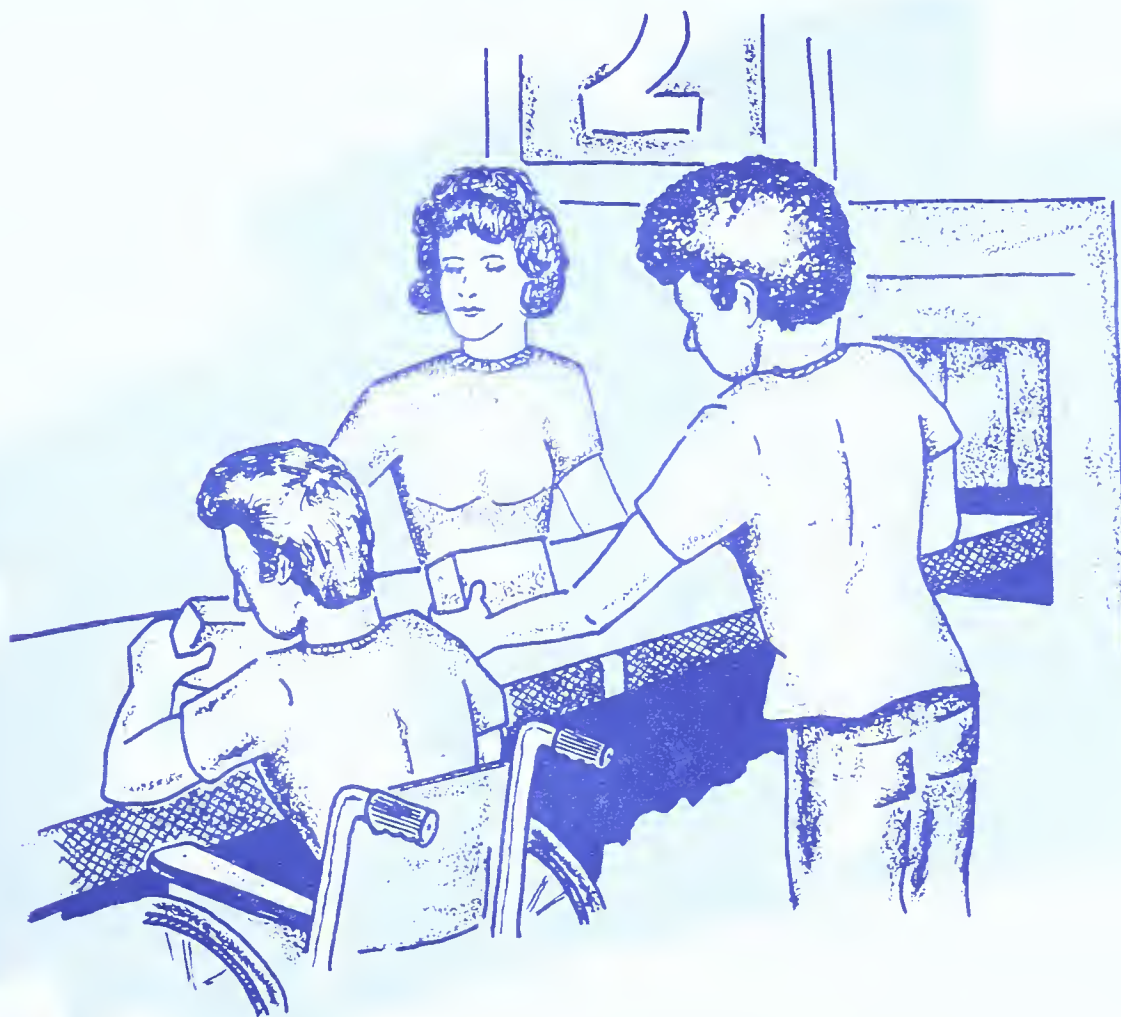




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# PENNSYLVANIA HUMAN RELATIONS COMMISSION



## EQUAL OPPORTUNITY: A NEW DIMENSION

ANNUAL REPORT 1977-78

# PENNSYLVANIA HUMAN RELATIONS COMMISSION

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Partner, Yaffe and Gould,  
Attorneys at Law

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National Board Member  
YWCA of the U.S.A. 1958-1976

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Executive Minister  
University and City Ministries

## ASSISTANT SECRETARY

John P. Wisniewski, Pittsburgh  
Consultant on Slavik Culture and Education



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Pittsburgh Catholic Diocese

Doris A. Smith, Pittsburgh  
Partner, Brown, Smith & Schwartz  
Attorneys at Law

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Executive Director, North City Congress

E. E. Smith, Wyomissing  
Retired Manager  
Western Electric Company, Inc.

Raquel Otero de Yiengst, Sinking Springs  
Supervisor, Bilingual Program  
Reading School District

Robert Johnson Smith, Elkins Park  
Pastor, Salem Baptist Church of Jenkintown;  
Educator

Benjamin S. Loewenstein, Philadelphia  
Senior Partner, Abrahams & Loewenstein  
Attorneys at Law



## EXECUTIVE OFFICE

Homer C. Floyd  
**EXECUTIVE DIRECTOR**

E. S. Inocencio  
**DEPUTY DIRECTOR**



**PENNSYLVANIA HUMAN RELATIONS COMMISSION  
ANNUAL REPORT 1977-78**

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COMMONWEALTH OF PENNSYLVANIA  
OFFICE OF THE GOVERNOR  
HUMAN RELATIONS COMMISSION

The Honorable Milton J. Shapp  
Governor, Commonwealth of Pennsylvania

The Honorable Members of the General Assembly  
Commonwealth of Pennsylvania

Dear Governor Shapp and Members of the General Assembly:

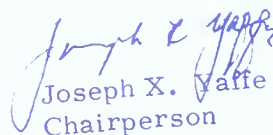
Employment discrimination continues to be a significant problem in Pennsylvania. The Pennsylvania Human Relations Commission continues to allocate a major portion of its limited staff time and budget to provide an improved quality of hiring of minority persons, women, handicapped and disabled persons.

From July 1, 1977 to June 30, 1978, the Commission's caseload reached the historical peak of 5,993 cases. During that period, the Commission closed 1,842 cases, leaving 4,151 cases pending. This growth of case backlog is attributable to the extension of protection of the Pennsylvania Human Relations Act to handicapped and disabled persons, as well as to the reductions in the Commission's staff. We are compelled to run faster just to stay in place.

The Commission has afforded technical assistance to secure voluntary compliance with the Act. Employer workshops reached 1,145 managers and supervisors with follow-up activities thereafter. A major project was completed designed to combat systemic discrimination in financing practices of "redlining" and "greenlining", which will serve as a model for other human rights agencies throughout the country.

The Commissioners and members of our staff are committed to vigorous enforcement of the Act and to elimination of the barriers to opportunities to employment, housing or places of public accommodations for all citizens of Pennsylvania, regardless of race, color, religion, ancestry, handicap or disability, age, sex or national origin.

This annual report for the period July 1, 1977 to June 30, 1978 is submitted pursuant to the provisions of the Pennsylvania Human Relations Act. We urge your continued support for the programs and policies mandated by the Act.

  
Joseph X. Yaffe  
Chairperson

Cheirperson  
JOSEPH X. YAFFE

Vice-Cheirperson  
DORIS M. LEADER

Secretary  
ELIZABETH M. SCOTT

Assistant Secretary  
JOHN P. WISNIEWSKI

Executive Director  
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Commissioners

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DORIS A. SMITH

E. E. SMITH  
ROBERT JOHNSON SMITH  
RAQUEL OTERO DE YIENGST

# PENNSYLVANIA HUMAN RELATIONS COMMISSION ANNUAL REPORT 1977-78

## HIGHLIGHTS

Activities of the Pennsylvania Human Relations Commission — especially during the past year — have spotlighted the Pennsylvania Human Relations Act as a mainstay of the handicapped and disabled in efforts to secure jobs, housing and access to public services.

In extending this protection, the Commission has added a new dimension to the traditional meaning of the term equal opportunity.

Among the signal accomplishments of the Commission in 1977-78 in this arena were these:

—Adoption of detailed and far-reaching regulations to undergird and strengthen protection for the handicapped and disabled in employment and places of public accommodation.

—Successful processing of a large caseload of complaints from handicapped and disabled persons — resulting in many new jobs, apartment rentals and provision of service in places open to the public.

Two rounds of public hearings, two complete revisions and a massive drafting effort were culminated with the Commission's adoption November 28, 1977 of explicit and detailed regulations interpreting the handicap and disability provisions of the Pennsylvania Human Relations Act. After receiving final approval by the Pennsylvania Department of Justice, the Regulations were promulgated in the October 7, 1978 issue of the Pennsylvania Bulletin. This massive project — begun shortly after the adoption of the handicap and disability provisions of the law December 19, 1974 — incorporated many of the recommendations of handicapped and disabled groups that were set forth at public

hearings in Pittsburgh, Harrisburg and Philadelphia, and paralleled in substantial measure key definitions and provisions of the regulations promulgated by the U.S. Department of Health, Education and Welfare to implement Section 504 of the Rehabilitation Act of 1973. By tracking the Section 504 regulations, the Commission insured a minimum degree of conflict between state and federal rules, and the maximum degree of team effort to bring justice to the handicapped and disabled.

The Commission successfully helped in the job-seeking endeavors of men and women coping with a long list of disabilities which had been blocking their efforts to secure gainful employment and the personal enrichment that comes from such work. The Commission compelled employers to focus attention on the abilities of these persons, instead of closing the door on them because of their disabilities. From epilepsy to spinal curvature, from hospitals to coal mines, the Commission was instrumental in helping to place many such persons in jobs where their handicaps or their disabilities did not interfere in any substantial way with their performance of the work they were hired to do — giving new breadth and meaning to the phrase "equal opportunity in employment."

The Commission, seeking to cope with the crisis of a smaller staff handling a larger caseload (emphasized in the Commission's annual report for 1976-77), successfully managed to close the largest number of cases in any one-year period in its history. This was accomplished through a combination of compliance process streamlining, and improved training for investigators. As a result, the Commission closed 1,842 cases during the report period — 231 more than in any



previous year. Included in the case disposition total were 217 complaints based solely or partially on handicap or disability — an increase of 52% over the previous year. But despite this impressive improvement in the Commission's case-handling techniques, the flood of incoming complaints continued unabated during the year, and the number of cases pending at the close of the report year rose to 3,959, or 194 more than

the year previous. The fact remains that the crisis portrayed in last year's annual report still plagues the Commission and threatens its entire program. The General Assembly has added new responsibilities for the Commission and greatly increased its workload. The budget of the Commission must be increased so that the Pennsylvania Human Relations Act can be enforced with a reasonable degree of excellence.

# COMPLIANCE ACTIVITIES

Substantial gains for handicapped and disabled persons, for minorities and for women were achieved last year through enforcement efforts of the Commission.

Concrete results were obtained for handicapped and disabled persons who had been discriminated against because of a multitude of current or past physical and mental conditions, including those involved in the following cases in which discrimination was established:

amputation of index finger	loss of strength in hand and leg as result of
anxiety	past cerebral thrombosis
arthritis	mastectomy
arthritic hip	mental impairment
arthritis of the spine	mental retardation
back problems	multiple sclerosis
blindness in one eye	muscle inflammation
blindness	nervous condition
cervical myositis	obesity
color blindness	paraplegia
curvature of the spine	plate in arm
deafness	psychological problems
diabetes	shortness of physical stature
epilepsy	spinal abnormalities
esophageal and abdominal distress	susceptability to sensitization to certain chemicals
glucose tolerance test, unexplained high measure	tuberculosis
hearing loss	underweight
heart murmur	wheelchair-bound
hernia	whiplash
loss of coordination in hand	

In addition, these and a variety of other conditions were involved in handicap and disability complaints in which the Commission was unable to substantiate the charge.

As in past years, the largest single category of cases was the one based on race and color, followed by those alleging sex discrimination. Age discrimination cases constituted the third largest block of complaints.

Overall, the compliance activities of the Commission during the past year produced jobs, reinstatement, promotions or other employment gains for 399 individuals, whose back pay, other benefits and new salaries on an annual basis totalled more than \$4.8 million.

Contract compliance reviews of companies doing business with the state resulted in widescale improvements in the practices and procedures of such firms — not only in hiring, but in the conduct of publicly-funded programs.

Perhaps the most notable of the Commission's Contract Compliance projects involved Volkswagen of America and its new Rabbit assembly plant in Westmoreland County. Inasmuch as VW located its new factory in Pennsylvania with substantial financial help from the Commonwealth of Pennsylvania, the Commission asserted the position that it had authority to require VW to comply with the State's Contract Compliance Regulations. The Commission's efforts in support of affirmative action helped to persuade VW to hire a significant number of minorities and to take other actions to improve the climate for minority group workers and their families. The VW experience was unique for the Commission, in the sense that the situation provided an opportunity to work with a company from the ground up in creating a good pattern of hiring minorities, instead of the more common situation in which the Commission is called upon to correct problems that have been long established and entrenched through tradition and seniority. In addition to hiring many minority persons among its initial workforce, VW agreed to supply the Commission with reports needed for future monitoring of its affirmative action program.

In the realm of public employment, fundamental and sweeping reform of civil service testing procedures designed to end discrimination against minorities was ordered by the Commission in a final order that has been appealed to Commonwealth Court.

These and other accomplishments of the Commission during the past year are detailed in the ensuing pages of this report.





# COMPLIANCE



The 1,842 complaints closed by the Commission in 1977-78 was the highest number in history, exceeding by a substantial margin the previous record-high number of 1,611 case dispositions during the 1976-77 fiscal year.

At the same time, staff docketed 2,034 new complaints — slightly under the previous year's total of 2,080 — including 206 handicap or disability complaints and 11 multiple-charge complaints in which one of the allegations was handicap or disability.

Combining new cases with complaints pending from the previous year boosted the caseload of the Commission for the year to 5,799. In addition, staff handled a total of 4,347 informal complaints, raising the agency's overall workload for FY 1977-78 to 10,146 cases.

Success in closing a record number of cases during the report year can be attributed to a number of factors — including streamlined procedures, increased training of staff and a strengthened relationship with the U.S. Equal Employment Opportunity Commission. Initial training of new investigators was extended by the Commission from 5 days to 9 days, followed by on-the-job training in regional offices and 3 more days of specialized instruction after 3 months of employment.

As a result of the investigations conducted, some element of discrimination was documented in 30 percent of all cases closed during the past years, compared to 26 percent the previous year. The increased amount and sophistication of training may have contributed to the improved finding rate registered in this year's compliance statistics.

Cases handled by staff during the report year included these:

—The four steps into a store selling medical apparatus stopped the would-be customer in the wheelchair, but his complaint brought action in the form of a new ramp with railings.

—“Sorry, you're too old,” a contractor told the applicant, a 45-year-old bricklayer helper, but his case gained him the job and \$300 in back wages.

—At another construction site, a Black man's complaint that he was discharged as a result of harassment from a supervisor led to his reinstatement in the \$17,000-a-year job and a warning to his supervisor to put a stop to any racially-based “kidding.”

—In one of many cases in which women workers were unlawfully denied benefits when disabled by pregnancy, a school teacher retrieved \$1,866 in accumulated sick leave pay, plus \$44 to reimburse her for a health care premium she had paid as a result of her discriminatory treatment.

—A manufacturing company rejected the application of a man when its doctor observed signs of an arthritic spine, but the man's complaint of discrimination because of handicap or disability netted him the \$11,752-a-year job.

—Sexual harassment of women employed in a local branch of a large sales organization was brought to a halt as a result of cases filed by three employees, each of whom had been demoted after spurning improper physical advances and suggestive remarks. Back pay for each ranged from \$3,000 to \$3,700.

—Discharged from a job at a plant making manufactured homes, a man with controlled epilepsy regained his \$8,300-a-year job, with duties altered so he would not be operating any motorized vehicles.

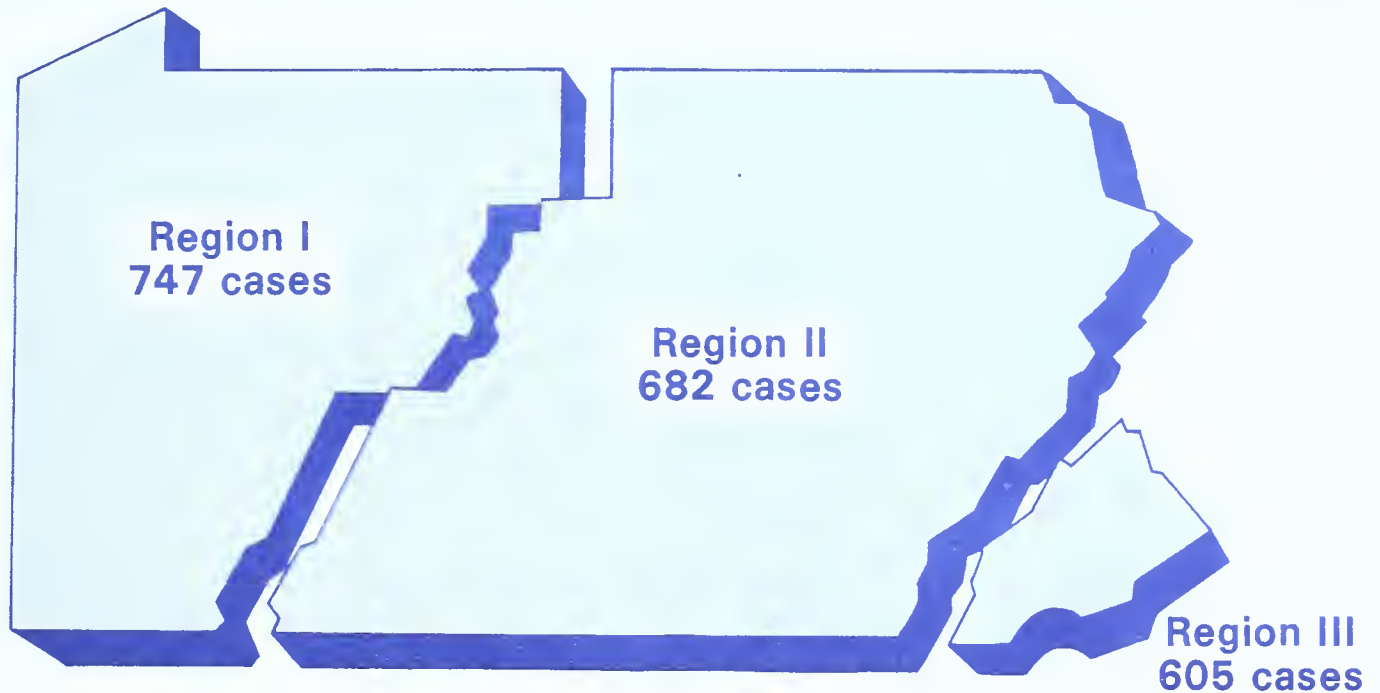
—Race discrimination was established as the reason a Black man was denied rental of a townhouse. His complaint enabled him to rent the housing he wanted, and resulted in reimbursement of \$300 in attorney fees.

—In another type of housing case, Commission action made it possible for three mentally-retarded persons to rent an apartment under the sponsorship of a local community living organization.

—Unfair evaluation of work performance was the complaint of a Black woman employed in a large office. As a result of the Commission's investigation and conciliation efforts, the woman was promoted to an administrative job paying more than \$19,000 per year.

Detailed statistics on cases follow:

## Complaints Docketed by Region in 1977-78



**Region I includes the following 23 counties in Western Pennsylvania:**

Allegheny	Elk	McKean
Armstrong	Erie	Mercer
Beaver	Fayette	Potter
Butler	Forest	Venango
Cameron	Greene	Warren
Clarion	Indiana	Washington
Clearfield	Jefferson	Westmoreland
Crawford	Lawrence	

**Region II includes the following 39 counties in Central and Northeastern Pennsylvania:**

Adams	Fulton	Northumberland
Bedford	Huntingdon	Perry
Berks	Juniata	Pike
Blair	Lackawanna	Schuylkill
Bradford	Lancaster	Snyder
Cambria	Lebanon	Somerset
Carbon	Lehigh	Sullivan
Centre	Luzerne	Susquehanna
Clinton	Lycoming	Tioga
Columbia	Mifflin	Union
Cumberland	Monroe	Wayne
Dauphin	Montour	Wyoming
Franklin	Northampton	York

**Region III includes the following counties in Southeastern Pennsylvania:**

Bucks	Delaware	Philadelphia
Chester	Montgomery	



# BASIS OF COMPLAINTS OF ALLEGED DISCRIMINATION

July 1, 1977 — June 30, 1978

Basis	Employment	Housing	Public Accommodations	Education	Total
Race or Color.....	645 ( 37%)	111 ( 75%)	64 ( 60%)	15 ( 75%)	835 ( 41%)
Religion.....	25 ( 1%)	0 ( — )	1 ( 1%)	0 ( — )	26 ( 1%)
National Origin.....	55 ( 3%)	5 ( 3%)	1 ( 1%)	1 ( 5%)	62 ( 3%)
Age.....	185 ( 11%)	0 ( — )	0 ( — )	0 ( — )	185 ( 9%)
Abortion.....	0 ( — )	0 ( — )	0 ( — )	0 ( — )	0 ( — )
Sex.....	462 ( 26%)	9 ( 6%)	20 ( 18%)	2 ( 10%)	493 ( 24%)
Handicap or Disability	178 ( 10%)	11 ( 8%)	17 ( 16%)	0 ( — )	206 ( 10%)
Illegal Ad or Application Form.....	0 ( — )	0 ( — )	0 ( — )	0 ( — )	0 ( — )
Guide Dog.....	0 ( — )	0 ( — )	0 ( — )	0 ( — )	0 ( — )
*Multiple.....	193 ( 11%)	12 ( 8%)	3 ( 3%)	2 ( 10%)	210 ( 11%)
Retaliation.....	16 ( 1%)	0 ( — )	1 ( 1%)	0 ( — )	17 ( 1%)
<b>TOTAL.....</b>	<b>1,759 (100%)</b>	<b>148 (100%)</b>	<b>107 (100%)</b>	<b>20 (100%)</b>	<b>2,034 (100%)</b>

\* Cases in this category include all those in which the basis of the charge of discrimination is two or more of the following factors: race or color, religion, national origin, age, sex, handicap or disability.

# BASIS OF COMPLAINTS OF ALLEGED DISCRIMINATION

Cumulative 1956 — June 30, 1978

Basis	Employment	Housing	Public Accommodations	Education	Total
Race or Color.....	6,653 ( 47%)	2,357 ( 79%)	1,123 ( 77%)	156 ( 71%)	10,289 ( 54%)
Religion.....	367 ( 3%)	27 ( 1%)	24 ( 2%)	5 ( 2%)	423 ( 2%)
National Origin.....	593 ( 4%)	67 ( 2%)	27 ( 2%)	12 ( 6%)	699 ( 4%)
Age.....	1,221 ( 9%)	0 ( — )	0 ( — )	0 ( — )	1,221 ( 7%)
Abortion.....	3 ( — )	0 ( — )	0 ( — )	0 ( — )	3 ( — )
Sex.....	2,989 ( 21%)	151 ( 5%)	179 ( 12%)	20 ( 9%)	3,339 ( 18%)
Handicap or Disability	583 ( 4%)	22 ( 1%)	41 ( 3%)	0 ( — )	646 ( 3%)
Illegal Ad or Application Form.....	776 ( 5%)	221 ( 8%)	31 ( 2%)	13 ( 6%)	1,041 ( 6%)
Guide Dog.....	0 ( — )	3 ( — )	2 ( — )	0 ( — )	5 ( — )
*Multiple.....	932 ( 7%)	123 ( 4%)	27 ( 2%)	14 ( 6%)	1,096 ( 6%)
Retaliation.....	59 ( — )	1 ( — )	2 ( — )	0 ( — )	62 ( — )
<b>TOTAL.....</b>	<b>14,176 (100%)</b>	<b>2,972 (100%)</b>	<b>1,456 (100%)</b>	<b>220 (100%)</b>	<b>18,824 (100%)</b>

\* Cases in this category include all those in which the basis of the charge of discrimination is two or more of the following factors: race or color, religion, national origin, age, sex, handicap or disability.

# DISTRIBUTION OF CASES BY COUNTY

1977 — 1978

## NUMBER OF CASES

County	Employment	Housing	Public Accommodations	Education	Total
ADAMS	3	1	1	0	5
ALLEGHENY	381	59	27	0	467
ARMSTRONG	2	2	0	0	4
BEAVER	44	0	8	0	52
BEDFORD	4	0	0	0	4
BERKS	24	3	1	0	28
BLAIR	15	1	0	0	16
BRADFORD	4	0	0	0	4
BUCKS	39	1	4	0	44
BUTLER	7	0	0	0	7
CAMBRIA	13	0	0	1	14
CAMERON	0	0	0	0	0
CARBON	5	0	1	0	6
CENTRE	13	1	0	0	14
CHESTER	48	5	1	1	55
CLARION	4	0	0	0	4
CLEARFIELD	3	0	0	0	3
CLINTON	1	0	0	0	1
COLUMBIA	4	1	0	0	5
CRAWFORD	5	0	0	0	5
CUMBERLAND	71	5	1	0	77



# NUMBER OF CASES

County	Employment	Housing	Public Accommodations	Education	Total
DAUPHIN	204	11	17	2	234
DELAWARE	75	11	2	1	89
ELK	4	1	0	0	5
ERIE	52	0	1	0	53
FAYETTE	12	6	0	0	18
FOREST	0	0	0	0	0
FRANKLIN	12	2	0	0	14
FULTON	1	0	0	0	1
GREENE	3	0	0	0	3
HUNTINGDON	6	1	0	0	7
INDIANA	6	2	0	0	8
JEFFERSON	1	0	0	0	1
JUNIATA	0	0	0	0	0
LACKAWANNA	6	2	1	1	10
LANCASTER	33	1	0	1	35
LAWRENCE	20	1	0	0	21
LEBANON	20	0	0	1	21
LEHIGH	36	2	0	0	38
LUZERNE	9	1	4	0	14
LYCOMING	17	0	2	0	19
McKEAN	7	0	0	0	7
MERCER	7	0	0	0	7
MIFFLIN	2	0	0	0	2
MONROE	8	1	0	0	9

## NUMBER OF CASES

County	Employment	Housing	Public Accommodations	Education	Total
MONTGOMERY	99	12	7	0	118
MONTOUR	2	0	0	0	2
NORTHAMPTON	9	0	4	0	13
NORTHUMBERLAND	3	0	1	0	4
PERRY	5	0	0	0	5
PHILADELPHIA	260	10	16	11	297
PIKE	3	0	0	0	3
POTTER	2	0	0	0	2
SCHUYLKILL	5	0	2	0	7
SNYDER	3	0	0	0	3
SOMERSET	1	0	0	0	1
SULLIVAN	0	0	0	0	0
SUSQUEHANNA	1	0	0	0	1
TIOGA	1	0	1	1	3
UNION	1	0	0	0	1
VENANGO	1	1	0	0	2
WARREN	0	0	0	0	0
WASHINGTON	36	1	2	0	39
WAYNE	2	0	0	0	2
WESTMORELAND	33	1	3	0	37
WYOMING	0	0	0	0	0
YORK	61	2	0	0	63
OUT-OF-STATE	0	0	0	0	0
ALL COUNTIES	1,759	148	107	20	2,034

## CLASSIFICATION OF RESPONDENTS

Respondent	Cumulative		
	1977-1978	1956 - June 30, 1978	
	Number	Number	Per Cent
<b>EMPLOYMENT.....</b>	<b>1,759</b>	<b>14,176</b>	<b>100</b>
Employer.....	1,742	13,313	94
Employment Agency.....	0	250	2
Union.....	16	374	2
Newspaper.....	1	238	2
Abettor.....	0	1	—
<b>HOUSING .....</b>	<b>148</b>	<b>2,972</b>	<b>100</b>
Owner.....	99	1,727	58
Real Estate Agency.....	34	985	33
Builder.....	3	83	3
Mortgagor.....	9	50	2
Abettor.....	0	8	—
Newspaper.....	0	53	2
Miscellaneous.....	3	66	2
<b>PUBLIC ACCOMMODATIONS .....</b>	<b>107</b>	<b>1,456</b>	<b>100</b>
Hotels and Motels.....	1	89	6
Eating and Drinking Places .....	31	313	22
Retail Stores.....	5	90	6
Recreation and Amusement Places .....	9	199	14
Personal Services (Barber, beauty, health, etc.)....	5	180	12
Resorts (hotels, lodges, etc.).....	5	35	2
Abettor.....	0	4	—
Misc. (School Districts, publications, etc.) .....	51	546	38
<b>EDUCATION .....</b>	<b>20</b>	<b>220</b>	<b>100</b>
College and University, Private.....	1	3	1
College and University, Public.....	15	79	36
Vocational, Business.....	1	6	3
Vocational, Technical and Trade .....	3	39	18
Public School, Secondary .....	0	64	29
Public School, Elementary.....	0	22	10
Private School, Secondary.....	0	6	3
Other.....	0	1	—



## DISPOSITION OF CASES CLOSED BY THE COMMISSION

July 1, 1977 — June 30, 1978

Disposition	Employment	Housing	Public Accommodations	Education	Total
Unlawful Practice Found and Adjusted	463 ( 29%)	37 ( 25%)	51 ( 52%)	6 ( 35%)	557 ( 30%)
Specific Charge not Established	594 ( 38%)	41 ( 28%)	11 ( 11%)	4 ( 24%)	650 ( 35%)
Lack of Jurisdiction	146 ( 9%)	31 ( 21%)	11 ( 11%)	2 ( 12%)	190 ( 11%)
Case Withdrawn or Complainant Failed to Proceed	376 ( 24%)	39 ( 26%)	25 ( 26%)	5 ( 29%)	445 ( 24%)
<b>TOTAL</b>	<b>1,579 (100%)</b>	<b>148 (100%)</b>	<b>98 (100%)</b>	<b>17 (100%)</b>	<b>1,842 (100%)</b>

## DISPOSITION OF CASES CLOSED BY THE COMMISSION

Cumulative 1956 — June 30, 1978

Disposition	Employment	Housing	Public Accommodations	Education	Total
Unlawful Practice Found and Adjusted	3,361 ( 31%)	1,366 ( 52%)	718 ( 58%)	59 ( 34%)	5,504 ( 37%)
Specific Charge not Established	4,955 ( 46%)	881 ( 33%)	326 ( 26%)	79 ( 46%)	6,241 ( 42%)
Lack of Jurisdiction	683 ( 6%)	111 ( 4%)	54 ( 5%)	8 ( 5%)	856 ( 6%)
Case Withdrawn or Complainant Failed to Proceed	1,821 ( 17%)	298 ( 11%)	140 ( 11%)	26 ( 15%)	2,285 ( 15%)
<b>TOTAL</b>	<b>10,820 (100%)</b>	<b>2,656 (100%)</b>	<b>1,238 (100%)</b>	<b>172 (100%)</b>	<b>14,886 (100%)</b>



# AFFIRMATIVE ENFORCEMENT



The Commission came to grips with the difficult issue of discriminatory tests this report year in its Affirmative Enforcement Program, in which the commission seeks to eliminate systemic discrimination through pattern and practice cases.

At the state level, a public hearing involving the Pennsylvania Liquor Control Board and the Pennsylvania Civil Service Commission resulted in a Commission order requiring a halt to the use of any civil service test which has a discriminatory impact against Blacks or other minorities. The order has been appealed to Commonwealth Court by both the Liquor Control Board and the Civil Service Commission.

At the local level, a case involving the Harrisburg Police Department hinged on the issue of alleged racial discrimination in the testing and hiring of police officers. The case, which reached an impasse in the previous administration, was settled on a voluntary basis when the new mayor, Paul E. (Tim) Doutrich, signed an agreement with the Commission pledging the City of Harrisburg to hire new police officers in a ratio of two Blacks to each White until the percentage of Blacks in the Police Department reaches 30 percent over a period of five years. Innovative features of the agreement include a complete overhaul of the testing procedures, and the elimination of all arbitrary barriers such as a requirement of perfect teeth and perfect vision.

The Affirmative Enforcement Program made extensive and imaginative use of a variety of legal enforcement procedures in the processing of other cases also. Its record of activity for the report year includes a suit under the Freedom of Information Act, suits in federal court, subpoena of a federal agency, a petition in Commonwealth Court to cite a union for contempt for not providing records needed in an investigation, and a court suit against a company that tried to prevent one of its plant managers from making a deposition during a Commission investigation. In a case involving Westinghouse, the Commission won the right to secure the company's computer record layouts, which tell what records are available and in what form. In a case involving Crown Cork and Seal, the Commission carried a legal battle to the Pennsylvania Supreme Court in a successful effort to move the case into a position where the issues could be resolved at a public hearing.

As in past years, the Affirmative Enforcement Program made substantial use of nationally-recognized experts in the fields of testing and statistics to help prepare cases for public hearing, and to present testimony as needed. In some of its ongoing investigations, the program is making a computer analysis of larger employer work forces in order to secure comparisons of the treatment and work history of minority workers and women with other employees.



# CONTRACT COMPLIANCE



Compliance reviews of approximately 3,900 state contracts were conducted last year by contract compliance officers of the Departments, Boards and Commissions under the jurisdiction of Governor Milton J. Shapp. Their efforts were guided and monitored by the Commission's Contract Compliance Program staff, which also assisted in the handling of more difficult problems.

At stake in these reviews was evidence of non-discriminatory practices with respect to employment and program benefits stemming from state contracts with a total value of approximately \$2½ billion. Federal dollars were intertwined with state funds in about 75% of the contracts examined, meaning that the funneling agencies and the recipients were responsible for meeting non-discrimination requirements under both state and federal laws and regulations. These contract compliance reviews resulted in 133 show-cause orders or other official action, and produced many changes in employment practices, including the award of contracts to 30 minority con-

tractors and the hiring of Blacks and other minorities in a variety of skilled jobs and professions. They also were responsible for substantial revisions in several local programs to bring about better participation of minority groups.

One of the most unusual accomplishments of Contract Compliance — in terms of local program revisions — occurred in Penn Hills Township, Allegheny County, where the Commission helped to adjust a complaint that a proposed recreation center involving both state and federal funds would have been inaccessible to Black residents of the Lincoln Park area. The intervention of the Commission and the full cooperation of federal officials resulted in a drastic overhaul of the project. With the participation of White and Black residents of the areas involved, plans were changed to provide a \$1.4 million multi-purpose center for the Lincoln Park area, along with a recreational facility that better suited the needs of residents of the Universal area of the township.





## LEGAL ACTION



The demanding task of shepherding the Commission's Regulations on Handicap and Disability through the laborious and time-consuming process of drafting, revision, public hearings, further revision and approval by the Commission and the Justice Department was carried out by the Legal Division of the Commission and brought into final form during the current report year.

The Legal Division also carried out a heavy workload of other activities in guiding the efforts of a law-enforcement agency — from providing interpretations of law to directing the handling of cases as they progressed from investigation to hearing, and where necessary, through court appeal.

In addition to its involvement in the innovative legal procedures cited in the section of this report on Affirmative Enforcement Program, the Legal Division conducted public hearings in seven cases, and pre-hearing conferences in 12 cases, and prepared material and directed the questioning of witnesses in the investigatory hearing detailed in the Community Services section of this report.

Commission attorneys handled a busy schedule of arguments in 10 cases before the Pennsylvania Supreme Court at its January 1978 term in Philadelphia and six cases before Commonwealth Court, as well as making court appearances in a variety of other matters.

Significant court decisions handed down during the current report year included these:

—The Pennsylvania Supreme Court refused to hear an appeal from the ruling of Commonwealth Court in *Anderson vs. Upper Bucks County Area Vocational-Technical School*, meaning that the

Commission has been sustained in its regulation requiring that an employee's disability related to pregnancy must be treated like any other disability.

—Commonwealth Court upheld an order of the Commission in the case of *Joan S. Skurnowicz vs. Luzerne County Community College*. The order required the College to refrain from sex discrimination in its hiring practices, to pay Ms. Skurnowicz more than \$3,500 in back pay and interest, and to offer her the first teaching position for which she qualified.

—The Pennsylvania Supreme Court concurred in an earlier ruling of Commonwealth Court which upheld an order of the Commission requiring Transit Casualty Insurance Company to pay \$11,499.49 with interest to a woman who was fired from her job as a truck driver because of sex discrimination in the furnishing of insurance coverage for the woman's employer. The central issue in the case was the Commission's authority to order a respondent who is not the employer of a complainant to compensate that person for lost earnings suffered as a result of an unlawful discriminatory practice in employment.

—The Pennsylvania Supreme Court also affirmed a Commonwealth Court decision upholding the Commission in its finding that Van Buren Homes in Beaver discriminated against Blacks on the basis of race, and its order requiring Van Buren Homes to transfer at its own expense any Black tenants who wished to move to the non-segregated area of the housing development. The Commission's order in the case also required Van Buren Homes to maintain a file of applicants, by race, for a two-year period.



—The Pennsylvania Supreme Court also handed the Commission a setback in its efforts to award compensatory damages to victims of discrimination. In rulings involving the Zamantakis case, Moose Lodge No. 145 and others, the court stated that the Commission lacked statutory authority to require respondents who broke the law to pay compensation for such things as pain and suffering, humiliation and embarrassment. The Court suggested that the Commission return to the Legislature if it wished to secure explicit authority to award compensatory damages to persons victimized by discrimination.

Late in the current report year the Legal Division was assigned the task of preparing a major

brief in defense of an affirmative action plan. The assignment came as a result of the Commission being granted the right to intervene in an appeal of the Commonwealth Court decision in *Chmill vs. City of Pittsburgh*, which held that an affirmative action plan designed to correct the race discrimination found in the city's fire department constituted discrimination in violation of Section 5(b)(3) of the Pennsylvania Human Relations Act. Among the factors distinguishing the case from the *Bakke* decision was the fact that a federal court had directed the City of Pittsburgh to take action to remedy an unlawful situation.



# HOUSING



A refined technique for processing complaints involving mortgage companies, savings and loan associations and banks was developed by the Commission's Housing Division during the past year as part of a comprehensive study of the extent of racial and sexual discrimination in financing practices in Pennsylvania.

The study of 60 financial institutions was funded by the U.S. Department of Housing and Urban Development (HUD) and used data provided under the Mortgage Disclosure Data Act of 1975. The Commission's task was to develop a strategy and a model for use nationally to prevent financial institutions from engaging in practices such as "red-lining" in which a certain neighborhood is designated as an area where no further mortgages or loans will be made. A voluminous report on the project was made to HUD.

As noted elsewhere in this report, handicapped or disabled persons assisted by the Commission in meeting their housing needs included both individuals whose movement is restricted (by use of a wheelchair, for instance) and classes of persons (such as the mentally retarded) who seek group homes in conjunction with community living programs.

There was a continuation of the decline in the number of cases filed against real estate brokers who are Realtors, which the Commission attributes to the success of its statewide and local agreements which commit Realtors to implement standardized non-discriminatory practices in selling and renting housing, and to the efforts of Realtors to police their own industry to curb unlawful actions. Additional local agreements signed during the year cover Realtors in Bradford, Potter and Tioga Counties.

Coincidentally, the positive results of such programs were demonstrated in testimony presented during the Commission's investigatory hearing held in Abington Township, Montgomery County, in November 1977. The statements of several Black families that they were sold houses in residential blocks that previously were all-White showed that real estate brokers were obeying the law by offering and selling homes on a non-discriminatory basis.

However, to help educate the public on the difference between such lawful activity and illegal real estate solicitation, the Commission printed and distributed more than 7,000 copies of a brochure that explains such practices as block busting and panic selling. Commission staff members were asked to serve as consultants in three areas considering proposed legislation on solicitation, including the Borough of Yeadon, which adopted an ordinance based on portions of the Commission's model ordinance on solicitation.

In addition to the technical assistance given to real estate brokers and local officials considering solicitation ordinances, the Commission aided officers of a number of financial institutions in complying with the Act, and helped a variety of community groups whose members are involved in fair housing or open housing programs. Commission staff also presented a course in innovative communications at the annual meeting of the International Association of Official Human Rights Agencies, provided specific help to 35 other state and local agencies, testified on a House bill relating to mortgage discrimination and provided assistance at a national conference on equal opportunity in lending.



# EDUCATION



Problems and progress of Blacks, Hispanics and women in Pennsylvania's institutions of higher learning were studied by the Commission and detailed in a report issued to educators and to the public. The report dealt both with total numbers of such students in colleges and other post-secondary schools, and the numbers and percent studying medicine and other specialties.

In other activities related to higher education, staff of the Commission worked closely with officials of nine colleges to eliminate unlawful inquiries from the application forms used for admissions and employment.

Additional efforts to desegregate schools were made in the state's two largest cities and in several other areas.

The Education Division worked closely with the Legal Division in compiling the brief which helped to persuade the Pennsylvania Supreme Court to uphold the Commission's desegregation order against Pittsburgh School District.

The Education Division analyzed the so-called voluntary desegregation plan proposed by Philadelphia School District in preparation for arguments before the Pennsylvania Supreme Court to secure enforcement of the Commission's desegregation order — an effort that failed when the Court agreed to allow Philadelphia School District to implement its plan until February 1980.

The Commission confronted Erie School District with the fact of its non-compliance with court-approved desegregation orders, and provided a report to the Office of Civil Rights of the U.S. Department of Health, Education and Welfare (HEW), which led to further negotiations and finally adoption (following the close of this report year) of a more comprehensive desegregation plan for all elementary schools in Erie.

The Commission also attempted to persuade the Southeast Delco School District to submit a desegregation plan to correct problems in that Delaware County school system, and, when the effort failed, initiated a formal complaint against the District.

However, the Commission was successful in negotiating agreements with a number of other school districts to desegregate the student bodies of all schools, and to racially-integrate their professional and non-professional staffs.

The staff of the Commission also provided technical assistance to many school districts, professional organizations and community groups concerned with desegregation and related school problems, including the Center on School Desegregation and Conflict of the University of Pittsburgh, the U.S. Commission on Civil Rights, the Commission for Women, the Conference on Black Basic Education, the Black Conference on Higher Education and the International Association of Official Human Rights Agencies.





# COMMUNITY SERVICES



Revision of local human relations ordinances to prohibit discrimination because of handicap or disability was advocated by staff of the Commission's Community Services Division during the past year in their contacts with local government officials and citizens throughout the state.

Prevention and elimination of problems experienced by handicapped and disabled persons also was stressed by staff of the Division in seminars and workshops that attracted more than 1,000 community leaders and persons with job responsibilities in the area of non-discrimination in employment, housing and education. The largest of these programs drew 250 first-line supervisors to a workshop in York to discuss employment problems encountered in complying with state and federal non-discrimination laws and regulations.

Efforts to reduce racial tension in 53 communities across the state required much of the time of the staff of the Community Services Division. About half of these tension situations were related to housing move-ins by Black families in suburban areas around Philadelphia. In these crises, the Commission worked in cooperation with the Governor's Civil Tension Task Force. Members of the Task Force met monthly to review current tension situations and to improve techniques for coping with intergroup problems.

Harassment of Black and Jewish residents of Abington Township in Montgomery County reached such proportions in 1977 that the Commission conducted a three-day investigatory hearing in November to document the problems involved and to chart a plan of corrective action. The Commission's report on the hearing included a comprehensive series of 28 recommendations to safeguard human relations, directed to the township government, the school system, the housing industry, and to other government officials and civic groups. By mid-1978 many of the Commission's recommendations were being carried out. The Commission was especially encouraged by the actions taken by Abington Township Commissioners, including arrangements for human relations training for all mem-

bers of the township's police force. Members of the Commission's Eastern Montgomery County Advisory Council played a major role in helping to coordinate the many positive efforts being made to improve human relations in Abington Township.

When a natural disaster in the form of a tragic flood struck the City of Johnstown in July 1977, staff of the Commission joined in the recovery effort, both to assist residents generally, and to use their special expertise to alleviate any possibility of discrimination in the relief effort.

At the state level, the Commission continued to play an important consultant role in projects funded under the Comprehensive Employment and Training Act (CETA), through its membership on the State Manpower Services Council, which reviews all federal funding for prime sponsors of these programs.

In addition to the Eastern Montgomery County Advisory Council, whose role in helping to implement the Commission's recommendations in Abington Township was mentioned earlier, Advisory Councils were active in five other areas of the state. In Blair County the Council assisted citizens with a variety of human relations problems, referring them to the Commission or to other agencies, as appropriate. The Centre County Advisory Council worked with other groups seeking the adoption of a local human relations ordinance. In Johnstown, by necessity, most of the Council's activities were related to the flood recovery effort. Members of the McKeesport Advisory Council worked with school officials on problems related to sports activities. The York County Advisory Council members devoted a great deal of time to the planning of the employment workshop described earlier, and to follow-up activities.

Members of Advisory Councils are volunteers who serve without pay, often at considerable personal sacrifice in time and energy. During the past year the Commission was privileged to have had the talented services of the following persons on its Advisory Councils:



# ADVISORY COUNCIL MEMBERS

July 1, 1977 — June 30, 1978

## BLAIR COUNTY ADVISORY COUNCIL

Chairperson: Mr. Calvin T. McCray, Sr.

Mr. Nathan A. Benjamin\*  
Mrs. Virginia Day  
Ms. Eudora M. Gore  
Mr. Richard T. Hatch  
Ms. Dorothy Hatfield  
Dr. Malcolm D. Hill  
Mrs. JoeElla Howard

Mr. Denwood M. Howard  
Mr. Louis E. Leopold  
Mrs. Shirley J. Maher  
Mr. Ronald V. Miller  
Mrs. Donna Allen Munn  
Ms. Julia Petsonk

Mr. John E. Riley, Sr.  
Ms. Joyce C. Russell  
Rev. Philip P. Saylor  
Miss Jacqueline A. Smith  
Ms. Donna K. Walls  
Mrs. Frances L. Walter  
Dr. Lazarus H. Weiss

*\*Immediate Past Chairperson*

## CENTRE COUNTY ADVISORY COUNCIL

Chairperson: Dr. Jane M. Madsen

Mr. William Asbury  
Mr. Milton Bergstein, Jr.  
Mr. John Black  
Mr. Elmore M. Browne  
Dr. Robert C. Campbell\*  
Virginia Eisenstein, Esq.  
Mrs. Elinore H. Elliot  
Mr. James M. Elliot  
Alan Ellis, Esq.  
Mr. Carl B. Fairbanks

Dr. Pat Farrell  
Ms. Rita Foderaro  
Dr. Frederick Hussey  
Miss Gretchen A. Hyle  
Mr. Bill Kelley  
Mr. Marc B. Levey  
Dr. Beverly Lindsay  
Ms. Joan Nessler  
Benjamin Novak, Esq.

Mr. Julian J. Pinkos  
Mrs. Thelma T. Price  
Ms. Linda Rambler  
Ms. Maritza Tason  
Ms. Anita Thomas  
Dr. David L. Westby  
Mr. Paul E. Wilson  
Ms. Darlene Wolfe-Confer  
Mr. Clifford H. Yorks  
Dr. Harold Zipser

*\*Immediate Past Chairperson*

## EASTERN MONTGOMERY COUNTY ADVISORY COUNCIL

Chairperson: Mr. Edward A. Brown

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Ms. Betty Berg  
Ms. Margaret P. Bing  
Ms. Selma Dafilou  
Ms. Shirley Dennis  
Ms. Mattie N. Dixon  
Mrs. Dorothy Freedman

Dr. Robert Haakenson  
Rev. John F. Hardwick  
Mr. Clarence E. Harris  
Ms. Inez V. Lowenstein  
Mrs. Mary M. Martorella  
Ms. Joan N. Morris  
Ms. Laurama Pixton  
Ms. Nancy C. Quinn

Jack W. Robbins, Esq.  
Dr. Oscar F. Rothchild  
Mr. Edwin E. Saunders  
Ms. Evelyn J. Slade  
Dr. Stanley A. Tauber  
Rabbi Harold B. Waintrup  
Ms. Evelyn E. Warner

## **JOHNSTOWN ADVISORY COUNCIL**

**Chairperson: William L. Glosser, Esq.**

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Mr. B. T. duPont  
Mrs. Faye G. M. Griffin  
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Ms. Sylvia J. King  
Mr. Frank Kist  
Mrs. Dorothy G. Lewis  
Mr. Frederick B. Mickel

Mr. Ben Morrow  
Mr. Matthew D. Oreskovich  
Mr. Daniel T. Perkins  
Rev. Stephen F. Slavik  
Rabbi Rav A. Soloff  
Mr. William H. Weimann, Jr.

## **McKEESPORT ADVISORY COUNCIL**

**Chairperson: Mr. Harry Carter**

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Rev. Henry J. Carter, Jr.  
Mr. Morris Chotiner  
Mr. M. Richard Despotakis  
Mrs. Lois Dowd

Ms. Kathleen Burns Easler  
Mr. Albert G. Johnson  
Mr. Ronald M. Johnston  
Ms. Ethelda King  
Mrs. Jean Larue Lebowitz

Ms. Adell M. Long  
Mrs. Shirley R. Mockabee  
Mr. Gary Pastore  
Mrs. Ossie Paylor  
Mr. Vincent Tucker

## **YORK COUNTY ADVISORY COUNCIL**

**Chairperson: Mr. Freddie E. Woodward, Jr.**

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Mr. Halmon Banks, Jr.  
Mr. Henry J. Blockzeyl  
Mr. Vincent N. Brust, Sr.  
Ms. Helen Groft  
Mr. Kenneth J. Guerin

Mr. George Hyde  
Ms. Jeanne Mangan  
Mr. Daniel Minerva  
Mr. Leo Moreno  
Mr. Wilfred Ortiz  
Mr. Jerome Reese

Ms. Carolyn Sexton  
Mr. Daryl L. Stull, II  
Mr. James M. Thomas, II  
Mr. B. A. Wagner  
Ms. Marycatherine Weaver  
Mr. Stephen Woodyard

# THE COMMISSIONERS

The Commissioners — the 11 persons appointed by the Governor, with the advice and consent of the members of the Senate — carried out a heavy workload of activity in addition to the duties performed by staff.

The nature and the magnitude of the work done by Commissioners during the past year is reflected in part in the following statistics on some of their major activities.

Final Orders Approved .....	9
Consent Orders Approved.....	13
Conciliation Agreements Approved .....	77
Commission Meetings .....	12
Compliance Sessions .....	12
Cases Taken to Public Hearings .....	7
Number of Days of Hearing.....	11
Pre-Hearing Conferences .....	12
Investigatory Hearing Days .....	3
Public Hearing on Regulations.....	1
Training Institute Sessions.....	3

Commissioners also served as Motion Commissioners to review and rule on legal motions filed in complaints and met as members of standing committees and Ad Hoc Committees appointed to facilitate the operations of the Commission.



# LEGISLATION



Many of the Commission's legislative recommendations of long-standing were introduced as bills during the 1977-78 session of the General Assembly, but as of the close of this report period, none had been adopted.

Following are the Commission's principal recommendations to the members of the General Assembly and the Governor for amendment of the Pennsylvania Human Relations Act:

- Authorize appointment of hearing examiners to conduct public hearings, or permit one Commissioner (rather than three as now specified) to conduct such hearings. Final determinations in cases would continue to be made by the Commission.
- Specify that protection against housing discrimination applies to housing owned or occupied by an individual for his or her own use.
- Prohibit practices designed to cause panic selling in housing.
- Remedy an apparent legislative oversight by prohibiting sex discrimination in Section 5(i) of the Act relating to places of public accommodation. (Adopted Nov. 26, 1978.)
- Specifically prohibit retaliation against persons who have filed complaints in public accommodations and housing cases.
- Redefine "age" in the Act to prohibit discrimination in employment against persons "40 years of age or older."
- Authorize the Commission to award compensatory damages to victims of discrimination.
- Extend the time period for filing of complaints from the current 90 days to 180 days to parallel Title VII provisions of the U.S. Civil Rights Act of 1964.
- Increase the per diem compensation for Commissioners engaged in Commission business, commensurate with the amounts paid in similarly constituted agencies.
- Specify that a majority of Commissioners in office shall constitute a quorum, and state that a majority vote shall be sufficient to convene an investigatory hearing to prevent racial tension.



## **OFFICES OF THE COMMISSION**

### **HEADQUARTERS**

100 N. Cameron Street  
Harrisburg, PA 17101  
Phone: (717) 787-4410

### **PITTSBURGH REGIONAL OFFICE**

355 Fifth Avenue — Suite 1210  
Pittsburgh, PA 15222  
Phone: (412) 565-5395

### **HARRISBURG REGIONAL OFFICE**

301 Muench Street  
Harrisburg, PA 17102  
Phone: (717) 787-9780

### **PHILADELPHIA REGIONAL OFFICE**

711 State Office Building  
Broad and Spring Garden Streets  
Philadelphia, PA 19130  
Phone: (215) 238-6940



Pennsylvania Human Relations Commission  
100 N. Cameron Street  
Harrisburg, PA 17101

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# **PENNSYLVANIA HUMAN RELATIONS COMMISSION**

## **ANNUAL REPORT 1978-79**



# PENNSYLVANIA HUMAN RELATIONS COMMISSION

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Attorneys at Law

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YWCA OF THE U.S.A. 1958-1976

## **SECRETARY**

Elizabeth M. Scott, Pittsburgh  
Executive Minister  
University and City Ministries

## **ASSISTANT SECRETARY**

John P. Wisniewski, Pittsburgh  
Consultant on Slavic Culture and Education



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Sister of St. Joseph,  
Baden, Pa.; Educator

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Attorneys at Law

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Executive Director, North City Congress

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Retired Manager  
Western Electric Company, Inc.

Raquel Otero de Yiengst, Sinking Springs  
Supervisor, Bilingual Program  
Reading School District

Robert Johnson Smith, Elkins Park  
Pastor, Salem Baptist Church of Jenkintown  
Educator

Benjamin S. Loewenstein, Philadelphia  
Senior Partner, Abrahams & Loewenstein  
Attorneys at Law



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Robert S. Mirin  
GENERAL COUNSEL

**PENNSYLVANIA HUMAN RELATIONS COMMISSION  
ANNUAL REPORT 1978-1979**

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COMMONWEALTH OF PENNSYLVANIA  
OFFICE OF THE GOVERNOR  
**HUMAN RELATIONS COMMISSION**

The Honorable Dick Thornburgh  
Governor, Commonwealth of Pennsylvania

The Honorable Members of the General Assembly  
Commonwealth of Pennsylvania

Dear Governor Thornburgh and  
Members of the General Assembly:

We are pleased to submit to you the annual report of the Pennsylvania Human Relations Commission for the Fiscal Year 1978-79.

We take pride in the fact that the Commission during this period was successful in reducing its backlog of pending complaints which was accomplished despite the reduction in our staff attributable to a tight budgetary allocation. Management decisions involved in this achievement included the innovation of an expedited case-handling procedure, and other actions which resulted in the more efficient use of our resources.

The Commissioners and staff are dedicated to the task of eliminating barriers of discrimination to equal opportunities for employment, housing, education and use of places of public accommodation for all residents of Pennsylvania, without regard to their race, color, religious creed, ancestry, handicap or disability, age, sex, or national origin.

We earnestly solicit your continued support for the Commission in carrying out its mandate.

  
JOSEPH X. YAFFE  
Chairperson

Chairperson  
JOSEPH X. YAFFE

Vice Chairperson  
DORIS M. LEADER

Secretary  
ELIZABETH M. SCOTT

Executive Director  
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RAQUEL OTERO DE YIENGST  
BENJAMIN S. LOEWENSTEIN

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# PENNSYLVANIA HUMAN RELATIONS COMMISSION ANNUAL REPORT FOR 1978-1979

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## HIGHLIGHTS

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The Pennsylvania Human Relations Commission made solid progress during the past year in its struggle to cope with a mounting caseload and diminishing resources.

In the 1978-79 fiscal year — for the first time in its history — the Commission arrested the long-time rise in its case backlog and reduced the number of cases pending at the close of the report year. This was accomplished despite the docketing of a record number of new complaints, and with fewer staff members, attributable to a tight budget.

This progress in case handling began with a series of management decisions, but two that should be spotlighted for special mention are (1) the adoption of a procedure called rapid charge processing, and (2) the development of a new case management information system.

Rapid charge processing includes the scheduling of fact-finding conferences at an early stage in carefully selected complaints. With enthusiasm, staff applied their old skills to this new procedure. The dramatic accomplishments attained through these face-to-face encounters between complainant and respondent sparked efforts across the Commission to streamline procedures and increase productivity, resulting in a more favorable cost-benefit ratio in the operation of the compliance division. The new case management system serves every level of PHRC management, from first-line supervisors to the Executive Director and Commissioners. The System, using a unique Turn Around Document (TAD) is able to track every significant movement of any complaint, from docketing (through 27 possible stages) to closing action.



# COMPLIANCE

Compliance statistics for 1978-79 are impressive:

- 2,192 new cases — a record high number
- 2,450 cases closed — also a record
- 3,682 informal complaints handled
- 5,874 overall workload
- Reduction of 243 cases in the backlog of pending complaints
- Presentation of a major pattern-and-practice discrimination case involving more than 30 days of public hearing
- Review of 4,300 state contracts with a total value of \$3.1 billion
- Jobs secured for 508 persons, whose back pay, other benefits and new salaries on an annual basis totaled \$4,592,000

These accomplishments were recorded by the three units of the Commission responsible for enforcing the law: the Compliance Division, the Affirmative Enforcement Division and the Contract Compliance Division.

Rapid charge processing was only one of several innovative procedures implemented by the Compliance Division staff to move the caseload more effectively during the past year. Another was a special backlog project designed to secure settlements and close the oldest cases still on the docket book. Both rapid charge processing and the backlog project were aided by contracts with the U.S. Equal Employment Opportunity Commission.

Implementation of fact-finding conferences on a substantial scale in employment cases required an educational effort on the part of Commission staff, because participation in the procedure is a voluntary one on the part of both the complainant

and the respondent. Employers most often are influenced by the advantages of an early face-to-face meeting with the person making the discrimination charge, as a direct way to resolve basic issues in the case and thereby negate the need for a full-scale investigation in which substantial time and effort may be required to answer questions and to produce documents. Early settlement of a case also serves to minimize the amount of any back pay that may be owed. For the complainant, the big advantage of the fact-finding conference is the opportunity to secure a quick settlement of the charge. This could mean being hired for a job that's still open, being reinstated after discharge, or securing payment for some service or benefit in dispute.

Staff assigned to rapid charge processing has been provided extensive training in the new procedure, both in the headquarters or regional offices of the Commission, and at training centers of the U.S. Equal Employment Opportunity Commission.

Cases selected for rapid charge processing usually are employment complaints that involve only one individual, rather than a whole class of persons, and only one charge — race for example — rather than multiple charges such as discrimination based on sex and age.

The value of the rapid charge process goes much beyond the likelihood of an early settlement as a result of a fact-finding conference. Because the whole procedure stresses solid investigation and documentation, all cases involved in the process are subjected to extensive analysis and review before any work is started. When notice of the complaint is served, the Respondent receives a list of the basic documents that the investigation will require, and an invitation to resolve the complaint on terms that are agreeable to both parties. A time limit is

built into the process, because a fact-finding conference is scheduled within a month of the filing of the complaint. Across a table, face-to-face, the two parties talk, and listen, to each other, discussing the issues of the complaint with a Commission representative directing the questions. Areas of agreement and disagreement are quickly identified, and a clearer understanding of each other's position is achieved.

Even though implementation of the rapid charge process did not get underway until the last half of the current report year, the 40 percent

rate of signed agreements achieved as a result of fact-finding conferences made an immediate and significant impact on the Commission's case backlog. Even when an early settlement was not achieved, the process produced documentation to permit staff to make a finding in the case. The professionalism and promptness of the procedure and the Commission's new businesslike approach to case management impressed both complainants and respondents.

Detailed statistics on cases follows:

## GEOGRAPHICAL DISTRIBUTION OF CASES BY REGION

1956 — June, 1979

Area of Jurisdiction	Number of Complaints							
	Region I (a)		Region II (b)		Region III (c)		State Total	
	1978-1979	Cumulative	1978-1979	Cumulative	1978-1979	Cumulative	1978-1979	Cumulative
Employment. . . . .	700	5,863	799	4,975	484	5,321	1,983	16,159
Housing. . . . .	42	1,068	45	940	31	1,082	118	3,090
Public Accommodations . .	24	649	41	479	13	406	78	1,534
Education . . . . .	1	69	4	65	8	99	13	233
All Areas . . . . .	767	7,649	889	6,459	536	6,908	2,192	21,016

- (a) Region I includes 23 contiguous counties in the western part of the state, with its office located in Pittsburgh.
- (b) Region II includes 39 contiguous counties in the central and northeastern portion of the state, with its office located in Harrisburg.
- (c) Region III includes 5 contiguous counties located in southeastern Pennsylvania, with its office located in Philadelphia.

# BASIS OF COMPLAINTS OF ALLEGED DISCRIMINATION

July 1, 1978 — June 30, 1979

Basis	Employment	Housing	Public Accommodations	Education	Total
Race or Color . . . . .	647 ( 33%)	84 ( 71%)	42 ( 54%)	6 ( 46%)	779 ( 35%)
Religion . . . . .	25 ( 1%)	0 ( — )	2 ( 3%)	0 ( — )	27 ( 1%)
National Origin . . . . .	50 ( 2%)	3 ( 3%)	5 ( 6%)	2 (15.5%)	60 ( 3%)
Age. . . . .	190 ( 10%)	0 ( — )	0 ( — )	0 ( — )	190 ( 9%)
Abortion. . . . .	0 ( — )	0 ( — )	0 ( — )	0 ( — )	0 ( — )
Sex. . . . .	533 ( 27%)	14 ( 12%)	18 ( 23%)	3 ( 23%)	568 ( 26%)
Handicap/Disability. . . . .	222 ( 11%)	6 ( 5%)	5 ( 6%)	0 ( — )	233 ( 11%)
Illegal Ad or Application Form . . . . .	0 ( — )	0 ( — )	0 ( — )	0 ( — )	0 ( — )
Guide Dog. . . . .	0 ( — )	0 ( — )	0 ( — )	0 ( — )	0 ( — )
*Multiple. . . . .	292 ( 15%)	11 ( 9%)	6 ( 8%)	2 (15.5%)	311 ( 14%)
Retaliation . . . . .	24 ( 1%)	0 ( — )	0 ( — )	0 ( — )	24 ( 1%)
<b>TOTAL. . . . .</b>	<b>1,983 (100%)</b>	<b>118 (100%)</b>	<b>78 (100%)</b>	<b>13 (100%)</b>	<b>2,192 (100%)</b>

\* Cases in this category include all those in which the basis of the charge of discrimination is two or more of the following factors: race or color, religion, national origin, age or sex, and handicap/disability.



BASIS OF COMPLAINTS OF ALLEGED DISCRIMINATION

Cumulative 1956 — June 30, 1979

Basis	Employment	Housing	Public Accommodations	Education	Total
Race or Color . . . . .	7,300 ( 45%)	2,441 ( 79%)	1,165 ( 76%)	162 ( 69%)	11,068 ( 53%)
Religion . . . . .	392 ( 2%)	27 ( 1%)	26 ( 2%)	5 ( 2%)	450 ( 2%)
National Origin . . . . .	643 ( 4%)	70 ( 2%)	32 ( 2%)	14 ( 6%)	759 ( 4%)
Age. . . . .	1,411 ( 9%)	0 ( — )	0 ( — )	0 ( — )	1,411 ( 7%)
Abortion. . . . .	3 ( — )	0 ( — )	0 ( — )	0 ( — )	3 ( — )
Sex. . . . .	3,522 ( 22%)	165 (5.5%)	197 ( 13%)	23 ( 10%)	3,907 ( 18%)
Handicap/Disability. . . . .	805 ( 5%)	28 ( — )	46 ( 3%)	0 ( — )	879 ( 4%)
Illegal Ad or Application Form . . . . .	776 ( 5%)	221 ( 7%)	31 ( 2%)	13 ( 6%)	1,041 ( 5%)
Guide Dog. . . . .	0 ( — )	3 ( — )	2 ( — )	0 ( — )	5 ( — )
*Multiple. . . . .	1,224 ( 8%)	134 (5.5%)	33 ( 2%)	16 ( 7%)	1,407 ( 7%)
Retaliation . . . . .	83 ( — )	1 ( — )	2 ( — )	0 ( — )	86 ( — )
TOTAL. . . . .	16,159 (100%)	3,090 (100%)	1,534 (100%)	233 (100%)	21,016 (100%)

\* Cases in this category include all those in which the basis of the charge of discrimination is two or more of the following factors: race or color, religion, national origin, age or sex, and handicap/disability.



# DISTRIBUTION OF CASES BY COUNTY

1978 — 1979

## NUMBER OF CASES

County	Employment	Housing	Public Accommodations	Education	Total
ADAMS	8	0	1	0	9
ALLEGHENY	431	30	12	0	473
ARMSTRONG	6	0	0	0	6
BEAVER	26	0	3	1	30
BEDFORD	5	0	0	0	5
BERKS	50	0	0	0	50
BLAIR	12	5	1	1	19
BRADFORD	1	0	0	0	1
BUCKS	44	4	2	0	50
BUTLER	7	0	2	0	9
CAMBRIA	17	2	0	0	19
CAMERON	0	0	0	0	0
CARBON	1	1	0	0	2
CENTRE	15	0	0	0	15
CHESTER	35	7	0	0	42
CLARION	3	4	0	0	7
CLEARFIELD	13	0	0	0	13
CLINTON	8	1	0	0	9
COLUMBIA	10	4	0	0	14
CRAWFORD	19	2	0	0	21
CUMBERLAND	94	7	5	1	107

## NUMBER OF CASES

County	Employment	Housing	Public Accommodations	Education	Total
DAUPHIN	255	9	23	1	288
DELAWARE	53	5	0	0	58
ELK	8	0	0	0	8
ERIE	27	1	1	1	30
FAYETTE	15	0	0	0	15
FOREST	0	0	0	0	0
FRANKLIN	12	3	0	0	15
FULTON	1	0	0	0	1
GREENE	4	0	0	0	4
HUNTINGDON	4	1	0	0	5
INDIANA	11	0	0	0	11
JEFFERSON	16	0	0	0	16
JUNIATA	0	0	0	0	0
LACKAWANNA	13	0	0	0	13
LANCASTER	50	4	3	0	57
LAWRENCE	17	0	0	0	17
LEBANON	15	1	0	0	16
LEHIGH	25	2	2	0	29
LUZERNE	22	1	0	0	23
LYCOMING	28	0	1	0	29
McKEAN	5	0	0	0	5
MERCER	11	0	1	0	12
MIFFLIN	9	0	0	0	9
MONROE	7	0	0	0	7

## NUMBER OF CASES

County	Employment	Housing	Public Accommodations	Education	Total
MONTGOMERY	114	8	6	0	128
MONTOUR	6	0	0	0	6
NORTHAMPTON	21	0	3	0	24
NORTHUMBERLAND	11	0	0	0	11
PERRY	0	0	0	0	0
PHILADELPHIA	237	7	5	8	257
PIKE	1	0	0	0	1
POTTER	3	0	0	0	3
SCHUYLKILL	7	1	0	0	8
SNYDER	0	0	0	0	0
SOMERSET	2	0	0	0	2
SULLIVAN	1	0	0	0	1
SUSQUEHANNA	0	0	0	0	0
TIOGA	5	0	0	0	5
UNION	8	0	0	0	8
VENANGO	9	0	0	0	9
WARREN	1	0	0	0	1
WASHINGTON	20	0	3	0	23
WAYNE	1	0	0	0	1
WESTMORELAND	55	5	2	0	62
WYOMING	0	0	0	0	0
YORK	68	3	2	0	73
OUT-OF-STATE	0	0	0	0	0
ALL COUNTIES	1,983	118	78	13	2,192

## CLASSIFICATION OF RESPONDENTS

Respondent	1978-1979 Number	Cumulative 1956 — June 30, 1979	
		Number	Per Cent
<b>EMPLOYMENT</b> .....	<b>1,983</b>	<b>16,159</b>	<b>100</b>
Employer .....	1,911	15,224	94
Employment Agency .....	1	251	2
Union .....	70	444	3
Newspaper .....	1	239	1
Abettor .....	0	1	—
<b>HOUSING</b> .....	<b>118</b>	<b>3,090</b>	<b>100</b>
Owner .....	98	1,825	59
Real Estate Agent .....	16	1,001	32
Builder .....	0	83	3
Mortgagor .....	3	53	2
Abettor .....	0	8	—
Newspaper .....	0	53	2
Miscellaneous .....	1	67	2
<b>PUBLIC ACCOMMODATIONS</b> .....	<b>78</b>	<b>1,534</b>	<b>100</b>
Hotels and Motels .....	2	91	6
Eating and Drinking Places .....	11	324	21
Retail Stores .....	1	91	6
Recreation and Amusement Places .....	11	210	14
Personal Services (Barber, beauty, health, etc.) .....	7	187	12
Resorts (hotels, lodges, etc.) .....	2	37	2
Abettor .....	0	4	—
Misc. (Newspapers, periodicals, other) .....	44	590	39
<b>EDUCATION</b> .....	<b>13</b>	<b>233</b>	<b>100</b>
College and University, Private .....	0	3	1
College and University, Public .....	12	91	39
Vocational, Business .....	1	7	3
Vocational, Technical and Trade .....	0	39	17
Public School, Secondary .....	0	64	27
Public School, Elementary .....	0	22	10
Private School, Secondary .....	0	6	3
Other .....	0	1	—



## DISPOSITION OF CASES CLOSED BY THE COMMISSION

July 1, 1978 — June 30, 1979

Disposition	Employment	Housing	Public Accommodations	Education	Total
Unlawful Practice Found and Adjusted	677 ( 34%)	72 ( 36%)	51 ( 48%)	5 ( 20%)	805 ( 33%)
Specific Charge not Established	849 ( 40%)	53 ( 27%)	30 ( 28%)	10 ( 40%)	942 ( 38%)
Lack of Jurisdiction	117 ( 5%)	10 ( 5%)	9 ( 8%)	0 ( — )	136 ( 6%)
Case Withdrawn or Complainant Failed to Proceed	477 ( 21%)	63 ( 32%)	17 ( 16%)	10 ( 40%)	567 ( 23%)
<b>TOTAL</b>	<b>2,120 (100%)</b>	<b>198 (100%)</b>	<b>107 (100%)</b>	<b>25 (100%)</b>	<b>2,450 (100%)</b>

## DISPOSITION OF CASES CLOSED BY THE COMMISSION

Cumulative 1956 — June 30, 1979

Disposition	Employment	Housing	Public Accommodations	Education	Total
Unlawful Practice Found and Adjusted	4,038 ( 31%)	1,438 ( 50%)	769 ( 57%)	64 ( 33%)	6,309 ( 36%)
Specific Charge not Established	5,804 ( 45%)	934 ( 33%)	356 ( 26%)	89 ( 45%)	7,183 ( 41%)
Lack of Jurisdiction	800 ( 6%)	121 ( 4%)	63 ( 5%)	8 ( 4%)	992 ( 6%)
Case Withdrawn or Complainant Failed to Proceed	2,298 ( 18%)	361 ( 13%)	157 ( 12%)	36 ( 18%)	2,852 ( 17%)
<b>TOTAL</b>	<b>12,940 (100%)</b>	<b>2,854 (100%)</b>	<b>1,345 (100%)</b>	<b>197 (100%)</b>	<b>17,336 (100%)</b>

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# AFFIRMATIVE ENFORCEMENT

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The Affirmative Enforcement Division concentrated its resources this year in preparing for, and in presenting a pattern-and-practice charge of sex discrimination against the Crown Cork and Seal Company, Inc., one of the world's largest manufacturers of metal cans and bottle caps, and the union representing many of its plant employees in Philadelphia, Local 266 of the Sheet Metal Production Workers Union, AFL-CIO. By the close of the report year more than 30 days of public hearings had been conducted by the Commission, which also successfully resisted court efforts by Crown Cork and Seal to have the case dismissed or to block Commission access to pertinent records.

Fourteen present or former employees of the Company are complainants in the case, as is also the Commission. It is alleged that the company and the union engaged in unlawful employment practices that are discriminatory with respect to women — because of their sex — in hiring,

assignment, seniority, transfer, salary, overtime, promotion, denial of training and layoff. Both Crown Cork and Seal and Local 266 deny that they have violated the Pennsylvania Human Relations Act. The charges, if proved, could establish claims for millions of dollars in back wages.

Staff of the Affirmative Enforcement Division seek to eliminate systemic discrimination in employment through pattern-and-practice cases which seek to change policies and practices that exclude or limit the participation of minority group persons or women.

Two other pattern cases of special significance involved the issue of unequal pay for women custodians at McKeesport Area School District, and the issue of state civil service tests that may have a disparate effect on a particular race, sex or ethnic group.

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# CONTRACT COMPLIANCE

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Staff of the Commission's Contract Compliance Division coordinated the efforts of compliance officers in all of the departments and agencies under the jurisdiction of the Governor's Office, pursuant to the provisions of Executive Order 1972-1. These offices reviewed state contracts to insure non-discriminatory practices in terms of employment and program benefits. As noted earlier, these reviews covered 4,300 contracts with a total value of \$3.1 billion. In those instances where the Commission found that a contractor was not complying with non-discrimination laws, it was able to delay approval of a contract or otherwise resolve the problem. Overall these compliance reviews resulted in the issuance of 164 "show-cause" orders or other

official actions which benefitted minorities and women in terms of jobs or employment conditions. The program resulted in the pre-qualification of 145 minority contractors and the award of contracts to 30 minority contractors.

In addition to their coordinating role, the staff of the Division contacted all school districts, banks, community action agencies, city and county housing and redevelopment agencies, training facilities for disadvantaged persons, and all cities, boroughs and townships with a population of 10,000 or more. Equal Employment Opportunity (EEO) requirements of state and federal law were identified and technical assistance was provided.



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# LEGAL DEVELOPMENTS

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Legal support for the Commission's successful effort to bring its caseload under control was provided by the Office of General Counsel/Legal Division. Commission attorneys worked closely with the staff to develop procedures for processing complaints both more rapidly and more effectively.

Legal staff also reviewed numerous individual cases to insure that legal standards were met, prepared and enforced subpoenas and handled other legal matters, litigated cases in the administrative process, assisted Commissioners in the drafting of final orders and opinions, and prepared briefs and handled arguments at all levels of the state and federal court systems.

Subsequent to a Commission order involving state civil service tests which were found to have an adverse impact on minorities and women, a consent decree embodying a positive plan for insuring that future tests would be free of such problems was negotiated by Commission attorneys.

The Office of the General Counsel/Legal Division also advised the Commission with respect to changes in law affecting the Commission, including the court decisions on sovereign immunity, and the state's new ethics law. Substantial regulation drafting, particularly in the "handicapped discrimination" area, was generated and implemented.

Important legal victories for the Commission included a Pennsylvania Supreme Court ruling affirming a Commonwealth Court Order enforcing a Commission subpoena. The practical effect of the decision is to permit the Commission to move forward more quickly with a case investigation. Significant decisions in the equal pay area, constitutional free speech, religious discrimination, retaliation, and Commission administrative procedures also were obtained.

Attorneys conducted administrative public hearings involving ten cases during the year, including one which required more than 30 days of testimony and legal argument. Numerous cases in which the Commission directed the holding of a public hearing were settled after hearing was scheduled, and during the administrative pre-hearing process. The Commission also sought and obtained judgments awarding the costs of defending Commission decisions in Court.

By securing consent orders and decrees and conciliation agreements in a number of additional complaints, the necessity of public hearings in those cases was avoided, thereby effectuating statutory policy and saving costly expenditures of both time and money on the part of both the employer and the Commission.

Injunctive relief as a means of preserving the Commission's jurisdiction was sought on several occasions.



# TECHNICAL ASSISTANCE AND EDUCATION

Major attention was given by the Commission to efforts to help everyone subject to the Pennsylvania Human Relations Act and the Fair Educational Opportunities Act to comply with the law — through technical assistance and education.

Awareness of laws and compliance also resulted from the complaint process, but the Commission endeavored to bring about the greatest possible amount of equal opportunity through informational programs, workshops and other techniques for showing people how to obey the law.

## IN BUSINESS AND INDUSTRY

Extensive technical assistance was given by Commission staff to employers and to others involved in the employment process. This assistance was rendered by staff of the Community Services Division, as well as by persons in the Contract Compliance, Affirmative Enforcement and Compliance Divisions. A central concern of the Commission in providing such assistance is to bring personnel practices into full compliance with the provisions of the Human Relations Act.

This help included a total of ten workshops for employers throughout the Commonwealth. More than 1,300 persons attended these seminars, while many others were given help on an individual basis. Depending upon local interest, these seminars stressed such specific issues as employment problems of the Hispanic Community and the establishment of programs to increase job opportunities for Spanish-speaking persons, and actions to make it possible for handicapped persons to gain access to the

workplace. The object of these workshops and seminars was to prevent discrimination, which is costly to both individuals and employers.

## CONTRACT COMPLIANCE ADVISORY BOARD

Members of the Commission's Contract Compliance Advisory Board for 1978-79 were as follows:

Chairperson of the Contract Compliance Advisory Board was Harry Boyer. Ex Officio members of the board were Doris M. Leader, Vice-Chairperson, Pennsylvania Human Relations Commission, and Margaret Hunting, Department of Justice.

**Contractors and Contractors Associations** — Vincent C. Miller, Charles H. Klinger, Inc.; Charles G. Hagee, Pennsylvania Utility Contractors Association; Henry L. Heck, Associated Pennsylvania Contractors; Jack Bishop, Public Affairs, Hershey Foods Corporation; Larry Myers, President, Myers Associates Incorporated.

**Labor Unions** — Michael Banko, Jr., Executive Director, State Council of Carpenters; Howard Grabert, Business Manager, IBEW Local 126; Thomas H. Miller, Executive Secretary, Pennsylvania State Building and Construction Trades Council; Joseph Licastro, Regional Director, Laborers International Union; Harry Boyer, President, Pennsylvania AFL-CIO.

**At-Large Representatives** — Joseph E. Podolsky, Manager, Employee Relations, General Electric Company of Erie; Sister Ann Elizabeth Bowler, Pennsylvania Catholic Conference;

Robert J. Robinson, Executive Vice Director, Negro Trade Union Leadership Council; Beverly Ann Finney, Esq., Temple Law School; Marilyn Barbara Goldman, Executive Director, Job Options, Inc.

**Human Rights** — Arthur Pisula, Director of Marketing, Business Resources Center; Alfred Wadley, President, Greater Harrisburg NAACP; John Hilton, Program Director, PEOPLES; Dr. Norma K. Raffel, Consultant, Pennsylvania Commission on Women; Walter L. Lowery, Sr., Executive Director, Urban League of Metropolitan Harrisburg.

**State Government** — John E. Matoney, Director, Apprenticeship and Training, Department of Labor & Industry; Marie Keeney, Director, Pennsylvania Commission for Women; Richard Partee, Contract Compliance, Department of General Services; Clarence Smith, Contract Compliance, Bureau of Minority Business Development, Department of Commerce; Carole Cromwell, Pennsylvania Housing Finance Agency.

## IN HOUSING

As a follow-up to its major study of mortgage-lending practices made the previous year, the Housing Division of the Commission initiated a series of quarterly meetings with all of the state and federal financial and regulatory agencies that play a primary role in assuring that minorities and women are not denied equal opportunity in housing as a result of discrimination on the part of financial institutions. Among the agencies involved in these meetings were the Pennsylvania Department of Banking, the U.S. Department of Housing and Urban Development (HUD), the U.S. Justice Department, the Federal Trade Commission, the Comptroller of the Currency, the Federal Deposit Insurance Corporation, the Federal Home Loan Bank Board and the Federal Reserve Board.

An initial result of the project was to coordinate civil rights enforcement activity and to set up a system for referring complaints to the Commission.

The project was conducted as a "model action," to demonstrate the potential of such meetings, to facilitate review of the efforts and to permit easier duplication of the project in other states if it proved helpful in safeguarding equal opportunity in mortgages and other housing-related loans.

Staff of the Housing Division also worked closely with groups representing the handicapped and disabled. They reviewed housing problems of handicapped persons, methods of solving such problems and suggestions for provisions to be included in any future regulations on housing.

As part of the Commission's follow-up on its recommendations stemming from the Investigatory Hearing in Abington Township (described later in this report), the Housing Division helped to set up a Housing Task Force to deal generally with housing complaints, and to develop positive programs for promoting fair housing, and for eliminating panic-selling and unlawful solicitation practices in housing.

Among the complaint settlements which the Housing Division helped to arrange was one valued at \$18,500. Of this amount, \$10,000 was in the form of a mortgage loan at a greatly-reduced rate of interest. Fees for the complainant's attorney also were included. The case involved a Black couple who were refused a loan for a house in the Philadelphia area.

The success of the Commission in negotiating agreements with Realtor Associations in Pennsylvania to prevent discrimination in housing was the highlight of a housing seminar held in Louisville, Kentucky in June. Speakers included the Equal Opportunity Chairperson and Education Director of the Pennsylvania Association of Realtors, and the former Housing Director for the Pennsylvania Human Relations Commission.



## IN EDUCATION

Special projects related to sexism in athletics and to the employment of Hispanics by school districts were carried out by the Education Division.

In addition, the Division worked intensively with several school districts on plans for complying with Commission requests or orders to eliminate segregated schools.

The project on sexism in athletics was designed to eliminate discrimination against girls in terms of opportunities offered and resources provided. Following testimony by the Commission's Executive Director before a hearing conducted by the Pennsylvania Commission for Women, the Commission sent letters to all of the 505 school districts in Pennsylvania, explaining the applicable provisions of the Pennsylvania Human Relations Act and Title IX of the U.S. Civil Rights Act of 1964, and requesting action to correct any deficiencies in a school's athletic program.

The project on Hispanics was initiated near the close of Fiscal Year 1978-79. The staff of the Education Division used statistical data provided by the Department of Education to prepare a report on the number and location of persons of Hispanic background employed in non-professional jobs by school districts throughout Pennsylvania.

School districts the Commission worked with on desegregation problems during the year included Pittsburgh, Erie, Southeast Delco and William Penn. Intensive effort was required in connection with the Pittsburgh School Board, which submitted a desegregation plan at the close of the report year, as required by an order of Commonwealth Court. The Commission scheduled a series of public hearings to examine the details of the Pittsburgh plan, and to secure public comment on the proposal. Subsequently the Commission ruled that the plan did not comply with its desegregation order and gave the school board 90 days to remedy deficiencies in the plan.

The Commission also negotiated at length with officials of Erie School District, which faced a loss of federal funds, mainly because the district was not in compliance with the Commission's desegregation orders. However, the district initiated a new effort to comply, involving a cross section of the city's residents. After the Commission heard representatives of these groups indicate support for the district's new approach it voted to grant Erie additional time to finish work on its desegregation plan.

No formal orders were involved in the Southeast Delco and William Penn situations, where population shifts and other factors have brought about racial imbalance in each district in recent years. By the year's end the Commission had granted approval to a substantial portion of William Penn's desegregation plan, but had not approved a desegregation plan for the Southeast Delco District.

## IN THE COMMUNITY

Technical assistance to the Community was provided mainly in three areas: tension situations, cooperative work with local municipalities, and support of advisory councils.

### Tension

Commission staff was formally involved in 58 tension situations in 50 different communities during the year, carrying out investigations and working to eliminate underlying problems. When the Governor's Civil Tension Task Force lost its staff midway through the fiscal year, the Commission accepted the role of coordinating communications among the members of the Task Force, making certain that reports of tension were relayed to all appropriate agencies. State agencies represented on the Task Force included the Bureau of Equal Opportunity in the Department of Education, the Community Advocate Unit of the Department of Justice, the Department of Public Welfare, the Bureau of Community Services of the State Police, and the Department of Community Affairs. The Task Force also included representatives of the Community Relations Service of the U.S. Department of Justice.

Tension in and around schools declined from previous years, but there was an increase in harassment against Blacks moving into formerly White areas, and against real estate brokers involved in such sales or rentals. There also were more reported cases of Ku Klux Klan activities, with the Commission helping to investigate such activity in the Philadelphia area, in the Allentown area and in the State College area, location of the main campus of Pennsylvania State University. In a number of communities there also was tension related to the actions of local police, usually hinging on the question of when and how much force can be used in arresting citizens, and whether greater force is used against minority group persons.

### **Cooperation with Local Communities**

One of the cities that made special efforts during the year to prevent police-community problems was York. At the city's invitation, the Commission coordinated a day-long program of training on the theme "Human Relations and the New Officer." In addition to members of the York Police Department, those taking part in the training session included city officials, members of the local human relations agency, NAACP officers and representatives of the community relations unit of the U.S. Justice Department.

Improved human relations training for its police officers also was a major focus of Abington Township in Montgomery County, which implemented a wide range of Commission recommendations that grew out of an investigatory hearing in the community in November 1977. At one of several report meetings with the Commission, in the current year, township officials detailed their efforts to improve police-community relations. They noted that all of the township's 80 police officers, along with nine civilian employees of the police department, had completed a 20-hour program of sensitivity training.

Cheltenham Township, also in Montgomery County, turned to the Commission for assistance

when it was faced with a protest march involving the school system. Commission Chairperson Yaffe was singled out for special praise by Cheltenham officials for his role in helping to defuse a potentially dangerous situation.

The Commission also helped 55 other communities with a variety of human rights problems, including assistance to local human relations commissions, which frequently need technical guidance and legal direction.

### **ADVISORY COUNCILS**

Advisory Councils to the Commission carried out educational programs during the year in six areas of the state: Blair County, Centre County, Eastern Montgomery County, Johnstown, McKeesport and York County. Advisory Councils sponsored a variety of meetings and projects to gather facts, to inform people in their areas about human relations laws, and to help employers, real estate brokers and others comply with these laws. In Blair County the Council held neighborhood meetings to hear citizen concerns about safety in the streets, youth problems and police response. The Centre County Council looked into Ku Klux Klan and other forms of extremist activity in the Penn State area and assisted in the development of a proposed human rights ordinance for the borough of State College. The Council in Eastern Montgomery County cooperated with local officials in revising and implementing various recommendations stemming from the Commission's investigatory hearing in Abington Township the previous year. The Council in Johnstown developed a cooperative relationship with the city's Human Relations Commission with respect to complaints and educational programs. Members of the McKeesport Council reviewed long-range plans of the school district to close the Centennial School by 1983, and discussed efforts to reduce the high drop-out rate among minority students. York County Advisory Council held a housing workshop and discussed a proposal for a city-county human relations agency.



## ADVISORY COUNCIL MEMBERS

July 1, 1978 — June 30, 1979

Members of advisory councils are appointed by the Commission. They serve without pay, contributing time and energy to improving human relations in their communities. The following persons served on Advisory Councils during the past year:

### BLAIR COUNTY ADVISORY COUNCIL

Chairperson: Mr. Calvin T. McCray, Sr.

Mr. Nathan A. Benjamin  
Mrs. Virginia Day  
Mr. John F. Fueller  
Ms. Eudora M. Gore  
Mr. Richard T. Hatch  
Ms. Dorothy Hatfield  
Dr. Charles M. Hill  
Dr. Malcolm D. Hill

Mr. Denwood M. Howard  
Mrs. JoeElla Howard  
Mr. Louis E. Leopold  
Mrs. Shirley J. Maher  
Ms. Claudia G. Miller  
Mr. Ronald V. Miller  
Mrs. Donna Allen Munn  
Ms. Denise M. Pattillo

Mr. John E. Riley, Sr.  
Ms. Joyce C. Russell  
Rev. Philip P. Saylor  
Miss Jacqueline A. Smith  
Mr. James M. Stains  
William J. Stokan, Esq.  
Mrs. Frances L. Walter  
Dr. Lazarus H. Weiss

### CENTRE COUNTY ADVISORY COUNCIL

Chairperson: Dr. Jane M. Madsen

Mr. William Asbury  
Mr. John Black  
Mr. Elmore M. Browne  
Virginia Eisenstein, Esq.  
Mrs. Elinor H. Elliott  
Mr. James M. Elliott  
Mr. Carl B. Fairbanks  
Dr. Pat Farrell  
Ms. Rita Foderaro

Dr. Frederick Hussey  
Miss Gretchen A. Hyle  
Mr. Bill Kelley  
Ms. Vicki Klinger  
Dr. Beverly Lindsay  
Ms. Joan Nessler  
Ms. Michele Nicolas  
Mrs. Thelma T. Price  
Dr. Linda Rambler

Ms. Vicki L. Smith  
Ms. Maritza Tason  
Ms. Anita Thomas  
Dr. David L. Westby  
Ms. Darlene Wolfe-Confer  
Mr. Clifford H. Yorks  
Dr. Harold Zipser

### EASTERN MONTGOMERY COUNTY ADVISORY COUNCIL

Chairperson: Ms. Mary M. Martorella

Ms. Betty Berg  
Mr. Edward A. Brown\*  
Ms. Selma Dafilou  
Ms. Mattie N. Dixon  
Mrs. Dorothy Freedman  
Mr. Thomas B. Garrett

Ms. Inez V. Lowenstein  
Mr. John R. McNamara  
Ms. Joan N. Morris  
Ms. Addie S. Newman  
Ms. Laurama Pixton

Jack W. Robbins, Esq.  
Mr. Edwin E. Saunders  
Ms. Evelyn J. Slade  
Rabbi Harold B. Waintrup  
Ms. Evelyn E. Warner

\* Immediate Past Chairperson

**JOHNSTOWN ADVISORY COUNCIL**

**Chairperson: William L. Glosser, Esq.**

Ms. Louise Bach	Mr. William H. Jackson, Jr.	Mr. Ben Morrow
Mr. Harold R. Berkebile	Ms. Hope B. Johnson	Mr. Matthew D. Oreskovich
Mr. B. T. duPont	Ms. Sylvia J. Kine	Mr. Daniel T. Perkins
Mrs. Faye G. M. Griffin	Mr. Frank Kist	Rev. Stephen F. Slavik
Mr. Saul Griffin	Mrs. Dorothy G. Lewis	Rabbi Rav A. Soloff
Mr. Charles Gunby	Mr. Frederick B. Mickel	Mr. William H. Weimann, Jr.

**McKEESPORT ADVISORY COUNCIL**

**Chairperson: Mr. Harry Carter**

Ms. Cora Banks	Ms. Kathleen Burns Easler	Ms. Adell M. Long
Ms. Carol Bernick	Mr. Albert G. Johnson	Mrs. Shirley M. Mockabee
Rev. Henry J. Carter, Jr.	Mr. Ronald M. Johnston	Mr. Gary Pastore
Mr. M. Richard Despotakis	Ms. Ethelda King	Mrs. Ossie Paylor
Mrs. Lois Dowd	Mrs. Jean Larue Lebowitz	Mr. Vincent Tucker

**YORK COUNTY ADVISORY COUNCIL**

**Chairperson: Mrs. Mary E. Tribue**

Mrs. Ruth Amoros	Mrs. Helen Graft	Mr. Leo Moreno
Mr. Henry J. Blockzeyl	Mr. Kenneth J. Guerin	Mr. Wilfred Ortiz
Mr. Arthur G. Carr, Jr.	Mr. George Hyde	Mrs. Rayda S. Rivera
Dr. Richard R. DiPietro	Mrs. Loma J. James	Mrs. Cliriece B. Schell
Mr. C. Fred Gibbs	Mr. Paul G. Leiphart, Jr.	Mrs. Patricia L. Schultz
Ms. Peggy Gitt*	Mrs. Eleanor H. McGinnis	Mr. James C. Warfield
Dr. Benjamin Griffin	Mr. Daniel Minerva	Ms. Marycatherine Weaver

*\* Immediate Past Chairperson*

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# THE COMMISSIONERS

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The 11 members of the Pennsylvania Human Relations Commission set policy for the agency and directed staff in implementing the provisions of the two laws administered by the Commission during the past year and, in the process, compiled an impressive set of statistics reflecting the varied nature and scale of their activities. These statistics include the following:

Final Orders Approved.....	7
Consent Orders Approved .....	27
Conciliation Agreements Approved.....	39
Commission Meetings.....	12
Compliance Sessions.....	12
Cases Taken to Public Hearing .....	10
Number of Days of Hearing .....	38
Pre-Hearing Conferences .....	20
Training Institute Sessions .....	3

Members of the Commission also served as Motion Commissioners, reviewing and ruling on legal motions filed by parties to complaints, and served on a number of standing committees and ad hoc committees.

Commissioners took the initiative in a number of human rights areas, calling attention to unmet needs and advocating action needed to protect and to extend equal rights and opportunities. Resolutions adopted by the Commission included endorsement of a national holiday January 15th honoring the birthdate of the late Dr. Martin Luther King, Jr., backing for the Philadelphia Jaycees in their battle against sex discrimination, and support of efforts to ensure that an increasing number of minorities and women are recruited, nominated and selected to fill vacancies on both state and federal courts.

For his leadership in these and other human rights areas, Chairperson Yaffe received the first Dr. Martin Luther King, Jr. Humanitarian Award in Montgomery County.



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# LEGISLATION

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The Commission's foremost legislative recommendation to the Governor and to the members of the General Assembly concerns an amendment to the Pennsylvania Human Relations Act that would authorize the Commission to appoint a hearing examiner to conduct public hearings, or permit one Commissioner (rather than three as now specified) to conduct such hearings. Final determinations in all cases would continue to be made by majority vote of the Commission.

Other legislative recommendations are as follows:

- Specify that protection against housing discrimination applies to housing owned or occupied by an individual for his or her own use.
- Prohibit practices designed to cause panic selling in housing.
- Specifically prohibit retaliation against persons who have filed complaints in public accommodations and housing cases.
- Redefine "age" in the Act to prohibit discrimination in employment against persons "40 years of age or older."
- Authorize the Commission to award compensatory damages to victims of discrimination.
- Extend the time period for filing of complaints from the current 90 days to 180 days to parallel Title VII provisions of the U.S. Civil Rights Act of 1964.
- Increase the per diem compensation for Commissioners engaged in Commission business, commensurate with the amounts paid in similarly constituted agencies.
- Specify that a majority of Commissioners in office shall constitute a quorum, and state that a majority vote shall be sufficient to convene an investigatory hearing to prevent racial tension.



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## **OFFICES OF THE COMMISSION**

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### **HEADQUARTERS**

100 N. Cameron Street  
Harrisburg, PA 17101  
Phone: (717) 787-4410

### **PITTSBURGH REGIONAL OFFICE**

355 Fifth Avenue — Suite 1210  
Pittsburgh, PA 15222  
Phone: (412) 565-5395

### **HARRISBURG REGIONAL OFFICE**

301 Muench Street  
Harrisburg, PA 17102  
Phone: (717) 787-9780

### **PHILADELPHIA REGIONAL OFFICE**

711 State Office Building  
Broad and Spring Garden Streets  
Philadelphia, PA 19130  
Phone: (215) 238-6940



Pennsylvania Human Relations Commission  
100 North Cameron Street  
Harrisburg, Pennsylvania 17101

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# **PENNSYLVANIA HUMAN RELATIONS COMMISSION**

**ANNUAL REPORT  
1979-1980**

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# PENNSYLVANIA HUMAN RELATIONS COMMISSION

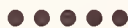
## Officers

Chairperson — Joseph X. Yaffe, Wyncote  
Vice-Chairperson — Doris M. Leader, York  
Secretary — Elizabeth M. Scott, Pittsburgh  
Assistant Secretary — John P. Wisniewski, Pittsburgh



## Commissioners

Mary Dennis Donovan, C.S.J., Baden  
Alvin E. Echols, Jr., Philadelphia  
Benjamin S. Loewenstein, Philadelphia  
Raquel Otero de Yiengst, Sinking Springs  
Doris A. Smith, Pittsburgh  
E. E. Smith, Wyomissing  
Robert Johnson Smith, Elkins Park



## Executive Office

Homer C. Floyd  
Executive Director

E. S. Inocencio  
Deputy Director for Management

Robert S. Mirin  
General Counsel

**PENNSYLVANIA HUMAN RELATIONS COMMISSION  
ANNUAL REPORT 1979-1980**

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COMMONWEALTH OF PENNSYLVANIA  
OFFICE OF THE GOVERNOR  
HUMAN RELATIONS COMMISSION

The Honorable Dick Thornburgh,  
Governor, Commonwealth of Pennsylvania

The Honorable Members of the General Assembly  
Commonwealth of Pennsylvania

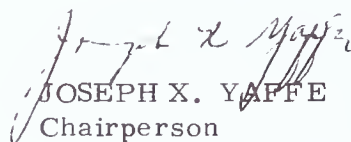
Dear Governor Thornburgh and  
Members of the General Assembly:

We are pleased to submit to you the annual report of the Pennsylvania Human Relations Commission for the Fiscal Year 1980-81 pursuant to the Pennsylvania Human Relations Act, as amended.

During the period 1979-80 the Commission continued as the law enforcement agency of the Act to reduce the backlog of pending complaints attributable to the refinement of management techniques and the developing expertise of the staff, although it has been decreased because of a lower budgeting appropriation by the Legislature.

The Commissioners and staff continue to be dedicated to the task of eliminating barriers of discrimination and to increase efforts to provide equal opportunities in employment, housing, education and the broader use of places of accommodation for all Pennsylvanians without regard to race, color, religious creed, ancestry, handicap or disability, age, sex or national origin.

We solicit your continued support for the Commission in carrying out the mandate of the Act.

  
JOSEPH X. YAFFE  
Chairperson

Chairperson  
JOSEPH X. YAFFE

Vice-Chairperson  
DORIS M. LEADER

Secretary  
ELIZABETH M. SCOTT

Executive Director  
HOMER C. FLOYD

Commissioners

ALVIN E. ECHOLS, JR  
DORIS A. SMITH  
E. E. SMITH  
JOHN P. WISNIEWSKI

ROBERT JOHNSON SMITH  
MARY DENNIS DONOVAN, C.S.J.  
BENJAMIN S. LOEWENSTEIN  
RAQUEL OTERO DE YIENGST

# HIGHLIGHTS

Significant accomplishments were achieved by the Pennsylvania Human Relations Commission in Fiscal Year 1979-80. Despite a continuing cutback in the size of its staff — the result of budgetary restrictions — the Commission achieved dramatic improvements in handling complaints. These gains were made in both the quantity and the quality of its case resolutions.

Although the Commission docketed a record number of new complaints during the report year, a more important fact is that the staff of the Commission was successful in closing an even larger number of complaints, thus reducing the case backlog to its lowest level in four years. This means that the time it now takes to process and close cases is significantly shorter than in previous years.

Improved quality of case closings is demonstrated by the case statistics showing an increase in the number of cases being adjusted, and — in particular — a substantial rise in the percentage of adjusted cases in which someone was hired, got a promotion or rented an apartment, as contrasted to cases in which there was only a paper adjustment — a change in policy or practice that helps future employees or other individuals, but does not immediately benefit the person who filed the case.

The impact of the Commission's compliance activities also is evident in the fact that jobs were secured for 650 persons, whose back pay, other benefits and new salaries on an annual basis amounted to more than \$3,277,995.

Especially noteworthy was a final ruling by the Pennsylvania Supreme Court that sustained the Commission's finding of sex discrimination against the McKeesport Area School District. The decision paved the way for a financial settlement of the case. Back wages totalling more than \$297,000 were secured for 27 women who were present or former employees of the school district. The women performed substantially the same work as men classified as "custodians," but were paid at a lower rate and were denied an opportunity to be classified as custodians. In addition to receiving back pay awards, the women also received improved pension benefits.

The first two orders of the Commission in handicap and disability cases were issued during the report year. One involved diabetes; the other, obesity.

The Commission markedly increased its activities designed to inform more people about the handicap and disability provisions of the Pennsylvania Human Relations Act, mainly through increased participation in workshops and conferences on the subject.

The Commission also helped in efforts to increase public understanding of the problems of sexual harassment, and developed guidelines to foster employer compliance with the Act.



# COMPLIANCE

Record-breaking statistics were chalked up in the compliance activities of the Commission during the past year:

- Cases Docketed ..... 2,402
- Cases Closed..... 2,692
- Informal Complaints..... 6,844

In spite of a reduced staff and the docketing of more new cases than ever before in its history, the Commission was successful in reducing its case backlog for the second year in a row. This

was accomplished as a result of better management techniques, improved training and use of streamlined procedures for moving cases toward settlement.

In addition to closing a larger number of cases, staff increased the percentage of case adjustments in which tangible benefits were secured for the person who filed the charge.

These results are more clearly shown in the charts which follow, and in the detailed statistics on succeeding pages.

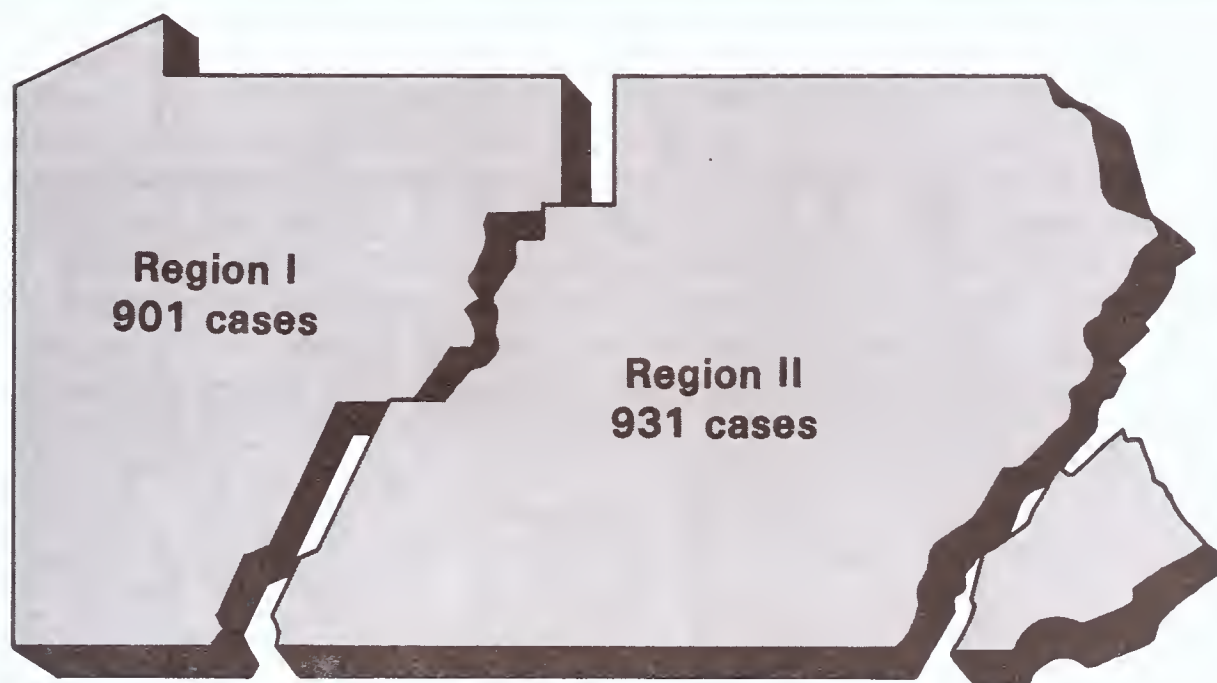
## GEOGRAPHICAL DISTRIBUTION OF CASES BY REGION

1956 — June 30, 1980

Area of Jurisdiction	Number of Complaints							
	Region I (a)		Region II (b)		Region III (c)		State Total	
	1979-1980	Cumulative	1979-1980	Cumulative	1979-1980	Cumulative	1979-1980	Cumulative
Employment.....	806	6,669	876	5,851	499	5,820	2,181	18,340
Housing.....	34	1,102	26	966	41	1,123	101	3,191
Public Accommodations ..	57	706	28	507	25	431	110	1,644
Education.....	4	73	1	66	5	104	10	243
All Areas.....	901	8,550	931	7,390	570	7,478	2,402	23,418

- (a) Region I includes 23 contiguous counties in the western part of the state, with its office located in Pittsburgh.
- (b) Region II includes 39 contiguous counties in the central and northeastern portion of the state, with its office located in Harrisburg.
- (c) Region III includes 5 contiguous counties located in southeastern Pennsylvania, with its office located in Philadelphia.

## Complaints Docketed by Region in 1979-80



**Region I includes the following 23 counties in Western Pennsylvania:**

Allegheny  
Armstrong  
Beaver  
Butler  
Cameron  
Clarion  
Clearfield  
Crawford

Elk  
Erie  
Fayette  
Forest  
Greene  
Indiana  
Jefferson  
Lawrence

McKean  
Mercer  
Potter  
Venango  
Warren  
Washington  
Westmoreland

**Region III  
570 cases**

**Region II includes the following 39 counties in Central and Northeastern Pennsylvania:**

Adams  
Bedford  
Berks  
Blair  
Bradford  
Cambria  
Carbon  
Centre  
Clinton  
Columbia  
Cumberland  
Dauphin  
Franklin

Fulton  
Huntingdon  
Juniata  
Lackawanna  
Lancaster  
Lebanon  
Lehigh  
Luzerne  
Lycoming  
Mifflin  
Monroe  
Montour  
Northampton

Northumberland  
Perry  
Pike  
Schuylkill  
Snyder  
Somerset  
Sullivan  
Susquehanna  
Tioga  
Union  
Wayne  
Wyoming  
York

**Region III includes the following counties in Southeastern Pennsylvania:**

Bucks  
Chester

Delaware  
Montgomery

Philadelphia

# BASIS OF COMPLAINTS OF ALLEGED DISCRIMINATION

July 1, 1979 — June 30, 1980

Basis	Employment	Housing	Public Accommodations	Education	Total
Race or Color . . . . .	701 ( 32%)	80 ( 79%)	40 ( 36%)	6 ( 60%)	827 ( 35%)
Religion . . . . .	27 ( 1%)	0 ( — )	1 ( 1%)	1 ( 10%)	29 ( 1%)
National Origin . . . . .	52 ( 2%)	1 ( 1%)	2 ( 2%)	1 ( 10%)	56 ( 2%)
Age. . . . .	295 ( 14%)	0 ( — )	0 ( — )	0 ( — )	295 ( 12%)
Abortion. . . . .	0 ( — )	0 ( — )	0 ( — )	0 ( — )	0 ( — )
Sex . . . . .	529 ( 24%)	8 ( 8%)	43 ( 39%)	2 ( 20%)	582 ( 24%)
Handicap/Disability. . . . .	254 ( 12%)	9 ( 9%)	15 ( 14%)	0 ( — )	278 ( 12%)
Illegal Ad or Application Form . . . . .	0 ( — )	0 ( — )	0 ( — )	0 ( — )	0 ( — )
Guide Dog . . . . .	0 ( — )	1 ( 1%)	1 ( 1%)	0 ( — )	2 ( — )
*Multiple. . . . .	286 ( 13%)	1 ( 1%)	7 ( 6%)	0 ( — )	294 ( 12%)
Retaliation . . . . .	37 ( 2%)	1 ( 1%)	1 ( 1%)	0 ( — )	39 ( 2%)
<b>TOTAL. . . . .</b>	<b>2,181 (100%)</b>	<b>101 (100%)</b>	<b>110 (100%)</b>	<b>10 (100%)</b>	<b>2,402 (100%)</b>

\* Cases in this category include all those in which the basis of the charge of discrimination is two or more of the following factors: race or color, religion, national origin, age or sex.

# BASIS OF COMPLAINTS OF ALLEGED DISCRIMINATION

Cumulative 1956 — June 30, 1980

Basis	Employment	Housing	Public Accommo- dations	Education	Total
Race or Color .....	8,001 ( 45%)	2,521 ( 79%)	1,205 ( 73%)	168 ( 69%)	11,895 ( 51%)
Religion .....	419 ( 2%)	27 ( 1%)	27 ( 2%)	6 ( 3%)	479 ( 2%)
National Origin .....	695 ( 4%)	71 ( 2%)	34 ( 2%)	15 ( 6%)	815 ( 4%)
Age.....	1,706 ( 9%)	0 ( — )	0 ( — )	0 ( — )	1,706 ( 7%)
Abortion.....	3 ( — )	0 ( — )	0 ( — )	0 ( — )	3 ( — )
Sex.....	4,051 ( 22%)	173 ( 6%)	240 ( 15%)	25 ( 10%)	4,489 ( 19%)
Handicap/Disability.....	1,059 ( 6%)	37 ( 1%)	61 ( 4%)	0 ( — )	1,157 ( 5%)
Illegal Ad or Application Form .....	776 ( 4%)	221 ( 7%)	31 ( 2%)	13 ( 5%)	1,041 ( 5%)
Guide Dog.....	0 ( — )	4 ( — )	3 ( — )	0 ( — )	7 ( — )
*Multiple.....	1,510 ( 8%)	135 ( 4%)	40 ( 2%)	16 ( 7%)	1,701 ( 7%)
Retaliation .....	120 ( — )	2 ( — )	3 ( — )	0 ( — )	125 ( — )
<b>TOTAL.....</b>	<b>18,340 (100%)</b>	<b>3,191 (100%)</b>	<b>1,644 (100%)</b>	<b>243 (100%)</b>	<b>23,418 (100%)</b>

\* Cases in this category include all those in which the basis of the charge of discrimination is two or more of the following factors: race or color, religion, national origin, age or sex.



# DISTRIBUTION OF CASES BY COUNTY

1979 — 1980

## NUMBER OF CASES

County	Employment	Housing	Public Accommodations	Education	Total
ADAMS	9	2	1	0	12
ALLEGHENY	488	25	39	4	556
ARMSTRONG	6	0	0	0	6
BEAVER	45	0	5	0	50
BEDFORD	0	0	1	0	1
BERKS	40	1	3	0	44
BLAIR	15	1	1	0	17
BRADFORD	2	0	0	0	2
BUCKS	51	1	2	1	55
BUTLER	16	0	1	0	17
CAMBRIA	25	1	0	0	26
CAMERON	1	0	0	0	1
CARBON	2	0	0	0	2
CENTRE	13	2	1	0	16
CHESTER	30	0	1	0	31
CLARION	1	0	0	0	1
CLEARFIELD	8	0	2	0	10
CLINTON	2	0	0	0	2
COLUMBIA	8	2	0	0	10
CRAWFORD	5	0	0	0	5
CUMBERLAND	81	1	4	0	86

NUMBER OF CASES

County	Employment	Housing	Public Accommodations	Education	Total
DAUPHIN	312	8	7	0	327
DELAWARE	55	9	1	0	65
ELK	4	0	0	0	4
ERIE	41	0	1	0	42
FAYETTE	20	3	3	0	26
FOREST	0	0	0	0	0
FRANKLIN	10	1	0	0	11
FULTON	0	0	0	0	0
GREENE	3	0	0	0	3
HUNTINGDON	5	1	0	0	6
INDIANA	17	0	0	0	17
JEFFERSON	3	0	0	0	3
JUNIATA	0	0	0	0	0
LACKAWANNA	12	1	1	0	14
LANCASTER	45	1	3	0	49
LAWRENCE	11	0	2	0	13
LEBANON	15	0	0	0	15
LEHIGH	33	1	0	0	34
LUZERNE	20	0	0	0	20
LYCOMING	23	0	0	0	23
McKEAN	3	0	0	0	3
MERCER	19	0	1	0	20
MIFFLIN	9	0	0	0	9
MONROE	13	0	0	0	13

## NUMBER OF CASES

County	Employment	Housing	Public Accommodations	Education	Total
MONTGOMERY	118	11	6	2	137
MONTOUR	1	0	0	0	1
NORTHAMPTON	20	1	0	0	21
NORTHUMBERLAND	9	0	0	0	9
PERRY	1	0	0	0	1
PHILADELPHIA	251	20	13	2	286
PIKE	0	0	0	0	0
POTTER	2	0	0	0	2
SCHUYLKILL	10	0	3	0	13
SNYDER	2	0	0	0	2
SOMERSET	3	0	0	0	3
SULLIVAN	0	0	0	0	0
SUSQUEHANNA	1	0	0	0	1
TIOGA	2	0	1	0	3
UNION	1	0	0	0	1
VENANGO	17	0	0	0	17
WARREN	3	0	0	0	3
WASHINGTON	45	3	1	0	49
WAYNE	3	0	0	0	3
WESTMORELAND	48	3	4	0	55
WYOMING	0	0	0	0	0
YORK	123	2	1	1	127
OUT-OF-STATE	0	0	1	0	1
ALL COUNTIES	2,181	101	110	10	2,402

## CLASSIFICATION OF RESPONDENTS

<u>Respondent</u>	<u>1979-1980</u> Number	<u>Cumulative</u> <u>1956 — June 30, 1980</u>	
		Number	Per Cent
<b>EMPLOYMENT</b> .....	<b>2,181</b>	<b>18,340</b>	<b>100</b>
Employer.....	2,108	17,332	95
Employment Agency.....	2	253	1
Union.....	65	509	3
Newspaper.....	6	245	1
Abettor.....	0	1	—
<b>HOUSING</b> .....	<b>101</b>	<b>3,191</b>	<b>100</b>
Owner.....	73	1,898	59
Real Estate Agent.....	16	1,017	32
Builder.....	0	83	3
Mortgagor.....	9	62	2
Abettor.....	0	8	—
Newspaper.....	0	53	2
Miscellaneous.....	3	70	2
<b>PUBLIC ACCOMMODATIONS</b> .....	<b>110</b>	<b>1,644</b>	<b>100</b>
Hotels and Motels.....	5	96	6
Eating and Drinking Places.....	7	331	20
Retail Stores.....	13	104	6
Recreation and Amusement Places.....	12	222	14
Personal Services (Barber, beauty, health, etc.).....	7	194	12
Resorts (hotels, lodges, etc.).....	1	38	2
Abettor.....	0	4	—
Misc. (Newspapers, periodicals, other).....	65	655	40
<b>EDUCATION</b> .....	<b>10</b>	<b>243</b>	<b>100</b>
College and University, Private.....	3	6	3
College and University, Public.....	4	95	39
Vocational, Business.....	2	9	4
Vocational, Technical and Trade.....	1	40	17
Public School, Secondary.....	0	64	26
Public School, Elementary.....	0	22	9
Private School, Secondary.....	0	6	2
Other.....	0	1	—



## DISPOSITION OF CASES CLOSED BY THE COMMISSION

July 1, 1979 — June 30, 1980

Disposition	Employment	Housing	Public Accommodations	Education	Total
Unlawful Practice Found and Adjusted	999 ( 41%)	38 ( 34%)	52 ( 47%)	4 ( 36%)	1,093 ( 41%)
Specific Charge not Established	833 ( 34%)	48 ( 42%)	6 ( 5%)	5 ( 46%)	892 ( 33%)
Lack of Jurisdiction	112 ( 4%)	3 ( 3%)	38 ( 35%)	0 ( — )	153 ( 6%)
Case Withdrawn or Complainant Failed to Proceed	514 ( 21%)	24 ( 21%)	14 ( 13%)	2 ( 18%)	554 ( 20%)
<b>TOTAL</b>	<b>2,458 (100%)</b>	<b>113 (100%)</b>	<b>110 (100%)</b>	<b>11 (100%)</b>	<b>2,692 (100%)</b>

## DISPOSITION OF CASES CLOSED BY THE COMMISSION

Cumulative 1956 — June 30, 1980

Disposition	Employment	Housing	Public Accommodations	Education	Total
Unlawful Practice Found and Adjusted	5,037 ( 33%)	1,476 ( 50%)	821 ( 56%)	68 ( 33%)	7,402 ( 37%)
Specific Charge not Established	6,637 ( 43%)	982 ( 33%)	362 ( 25%)	94 ( 45%)	8,075 ( 40%)
Lack of Jurisdiction	912 ( 6%)	124 ( 4%)	101 ( 7%)	8 ( 4%)	1,145 ( 6%)
Case Withdrawn or Complainant Failed to Proceed	2,812 ( 18%)	385 ( 13%)	171 ( 12%)	38 ( 18%)	3,406 ( 17%)
<b>TOTAL</b>	<b>15,398 (100%)</b>	<b>2,967 (100%)</b>	<b>1,455 (100%)</b>	<b>208 (100%)</b>	<b>20,028 (100%)</b>

# AFFIRMATIVE ENFORCEMENT

Near the close of the report year the Affirmative Enforcement Division was restructured into a centralized operation in the Headquarters Office of the Commission. The chief purpose of the reorganization was to improve the total systemic case processing — from initial targeting and selection of respondents through investigation, conciliation, litigation and enforcement of Commission orders.

Successful litigation of the McKeesport Area School District case — with its award of \$297,000 in back wages for women custodians who had been denied equal pay — highlighted the year's activities for the Affirmative Enforcement Division. The 27 present or former employees of the school district also gained improved pension benefits as a result of the Commission action. The case involved extensive administrative hearings and appeals through the courts.

The Affirmative Enforcement Division seeks to eliminate broad-based, systemic employment discrimination against minorities and women. Through the initiation of pattern or practice cases, the Commission focuses its enforcement machinery on large systems which operate to exclude or limit the participation of minorities or women.

Major resources were concentrated on the completion of findings from more than 30 days of hearings and the extensive presentation of the systemic charges of sex discrimination against Crown Cork and Seal Company, Inc., one of the world's largest manufacturers of metal cans and bottle caps, and the union that represents many of the plant employees in Philadelphia — Local 266 of the Sheet Metal Production Workers Union, AFL-CIO.

The litigation and settlement efforts of the Affirmative Enforcement Division in another case (Weldon and Kelly v. Liquor Control Board and Civil Service Commission) was translated into a major new state program this year when Governor Dick Thornburgh announced a new Administration policy to detect and prevent discriminatory testing practices in state hiring. The program is designed to identify and correct Civil Service tests which could have a disparate impact on a particular race, sex or ethnic group. The program will ensure that civil service exams are, in fact, job-related, as well as fair to all applicants. Governor Thornburgh increased the staff of the Civil Service Commission to carry out the work of validating these tests.

# CONTRACT COMPLIANCE

More than 4,800 state contracts, with a total value of \$3.5 billion, were reviewed during the past year by department and agency compliance officers whose activities were coordinated by the Commission's Contract Compliance Division.

The number of contracts reviewed for compliance with nondiscrimination provisions was about 10 percent more than in the previous year, resulting in more employers establishing goals and timetables for hiring minorities and women, and in a larger number of minority business enterprises being offered contracts.

When the Commission or another state agency found a contractor in non-compliance with anti-discrimination laws, the implementation of that contract was withheld until the infraction was properly resolved. These compliance reviews resulted in the issuance of 34 "show cause notices", all of which were conciliated with an agreement on the part of the contractor to comply with applicable laws.

The Division assisted minority contractors to secure approximately \$3 million worth of business with various state agencies — 70 percent of which was in the construction field and 30 percent in the service, supply and vendor area.

Technical assistance to minority companies helped such firms to secure more than \$1 Million in business loans during the past year. Technical assistance also included the review of Affirmative Action plans for many public and private employers.

The Commission's Contract Compliance Regulations were challenged during the year in a suit filed by the Hospital Association of Pennsylvania against the Pennsylvania Department of Public Welfare. At issue were the anti-discrimination provisions in state contracts. The suit, which was amended later to name the Commission as a defendant, was pending in the Pennsylvania Supreme Court at the time this report was prepared.



# LEGAL

The Legal Division of the Commission instituted a number of new management techniques during the past year, resulting — among other improvements — in an increase in the number of settlements secured after cases had been scheduled for public hearing. This meant that benefits were secured for complainants without the necessity of expending staff time and legal costs on public hearings, appeals and court arguments. The Commission ordered public hearings in 74 cases during the year but was able to settle 43 of these complaints on the basis of a consent order or conciliation agreement and a number of others on a less formal basis. Thirteen cases were taken to public hearing; these were closed with the issuance of an order by the Commission.

The new legal control system featured monthly reports in which attorneys reported on all aspects of work performed, and projected the future movement of all cases assigned to them.

The most significant legal gain for human rights protection in Pennsylvania during the year came in the Pennsylvania Supreme Court decision in Chmill and others vs. the Pittsburgh Bureau of Fire and the Pittsburgh Civil Service Commission. The state's highest court reversed an order of Commonwealth Court and reinstated the order and decree of the Allegheny Court of Common Pleas, which had upheld the use of temporary remedial "race-conscious" hiring to correct practices which had resulted in discrimination against Black applicants for positions with the fire department. In reply to arguments that race-conscious hiring in such circumstances was prohibited by the Pennsylvania Human Relations Act, the Supreme Court stated that:

"To the contrary, the legislative history of the Act, the time of its enactment and our prior construction of it all demonstrate without the slightest doubt that the Act's prohibitions against the use of race in employment and against quota hiring are not a bar to race-conscious voluntary remedial action."

The office of General Counsel and the Legal Division also handled a large number of proceedings in state and federal courts and in other tribunals, including a fee dispute panel of the Philadelphia Bar Association. Included were hearings on appeals, petitions for mandamus action, temporary injunctions and subpoena enforcement and equity hearings.

Commission litigation activity during the year is summarized in the following list of courts and the number of cases handled in each forum:

Commonwealth Court . . . . .	17
Pennsylvania Supreme Court . . . . .	4
U. S. District Courts . . . . .	8
U. S. Court of Appeals . . . . .	1
Courts of Common Pleas . . . . .	3
Municipal Court . . . . .	1



# TECHNICAL ASSISTANCE AND COMMUNITY SERVICES

Through technical assistance and community service programs, the Commission helped people to comply with the Pennsylvania Human Relations Act. This prevented problems or solved little problems before they became big ones.

The daily work day of Commission staff members — from Executive Director to Human Relations Representatives — is a constant and lively mosaic of answering questions, providing guidance about human relations laws and regulations, spelling out how the law applies to a specific situation, and of analyzing problems in

communities to determine how people and resources can be utilized to solve particular problems.

To focus the Commission's limited resources on these problems, staff efforts are channelled through the Divisions of Community Service, Housing, Education and Publicity and Information. These divisions plan programs, set goals and priorities, and coordinate efforts to assist Pennsylvanians to improve the whole spectrum of intergroup relationships.



## RIPPLE EFFECT

Like the ripples produced by a stone tossed in a pond, a Commission contact with the Central Pennsylvania Section of the American Camping Association (ACA) resulted in a widening circle of affirmative action. Representatives of 60 ACA camps were given material on the development of better human relations programs and

techniques for involving more minority group persons in their camping programs. Later this material was sent to the group's national office where it was used to help develop national standards for recruiting minority group employees and for integrating center city minority children in activities of the association.

# HOUSING

New procedures for handling housing complaints were developed during the past year by staff of the Housing Division.

At the front end of the process, they prepared a new case intake packet and an operations manual. New guidelines for closing cases were developed, along with a revised consent order form and a system for monitoring follow-up action in cases closed on the basis of a final order issued by the Commission. The scope of this task is evidenced by the fact that there are more than 60 orders and 165 conciliation agreements and consent decrees to police over a period of many months.

What this new monitoring system means to the people involved is that hard-won agreements for renting apartments or soliciting minority applicants for housing projects when vacancies occur in a later time period will not be overlooked at a future date because the staff is busy handling new cases and wrestling with current problems.

The housing staff of the Commission continued a joint effort with the Pennsylvania

Association of Realtors to encourage local Boards of Realtors to enter into fair housing agreements with the Commission, if they had not already done so. To date, 41 of the 53 local boards in the state have signed such agreements with the Commission.

These agreements commit the organized real estate brokers in an area to comply with the Human Relations Act in all their dealings and to discipline those members who violate the housing provisions of the Act. Special meetings convened by the Pennsylvania Association of Realtors were held in Allentown and Pittsburgh to enable brokers in the eastern and western ends of the state to learn more about these agreements and the advantages they offer to real estate brokers. Prior to the close of the report year, an agreement was signed by the Commission and the Board of Realtors of Carbon County.

Commission housing staff also cooperated with the staff of the Pennsylvania Housing Finance Agency in efforts to promote among clients of PHEA a better understanding of the State's housing laws.

# EDUCATION

Staff of the Education Division implemented a number of programs and projects to eliminate inequalities in schools and colleges, and to promote intergroup education principles in the Commonwealth.

All colleges and universities in Pennsylvania that have teacher-preparation programs approved by the Pennsylvania Department of Education were surveyed to find out exactly how many Blacks, Hispanics and women were enrolled in various types of programs. Results of the survey are available and can be useful to school districts in recruiting minority and women applicants.

The Commission initiated complaints against several school districts and teachers' unions to correct unequal pay problems in connection with the coaching of girls' athletic teams. Some of these cases involved charges that a school district paid women coaches less than it paid men coaches. However, a more complicated case dealt with a complaint that some men coaches were paid less than other men coaches simply because they were coaching a team composed of girls.

The Commission, in cooperation with the Pennsylvania Department of Education, endorsed the development of a project to identify and remedy patterns of unequal educational outcome, participation and achievement by minority students.

To improve inter-agency cooperation in case investigations and compliance reviews, and to avoid duplication of effort between the Commission and the federal Office of Civil Rights, a proposed agreement was drafted by the Commission's Education Division, approved by the Commission and submitted to the federal agency for its approval.

Technical assistance of many types was provided by staff of the Education Division to local school districts, to colleges and universities, and to the staff of the Pennsylvania Department of Education.

Speakers, and information on the requirements of state and federal law regarding sex discrimination and equal pay for coaches, were provided for seven regional workshops and for an Executive Academy sponsored by the State Department of Education. Briefings on the issue of equal pay for coaches were given to staff of the Pennsylvania School Board's Association and the Pennsylvania State Education Association.

An Education Division analysis of employment patterns in the professional and non-professional staffs of 28 school districts was given to the Commission's Compliance Division and to the State Department of Education. The Commission also provided evaluation comments and suggestions concerning the Department's School Improvement Project, especially with respect to civil rights compliance in the field of vocational education. The Commission's Executive Director served on a Department Task Force established to promote implementation of the State Board of Education's curriculum regulations on intergroup education and minority history.

As part of its ongoing responsibility with respect to school desegregation, the Education Division analyzed new enrollment data from 24 desegregated school districts to identify any patterns of re-segregation. Staff of the Division, in cooperation with the staff of the Department of Education's Bureau of Equal Educational Opportunity, made visits to four such districts, spending from 1-1/2 to 5 days in each district monitoring the implementation of desegregation plans and looking at patterns of pupil achievement.



With desegregation already achieved in 24 school districts in Pennsylvania, the Commission continued efforts — begun in 1968 — to desegregate schools in the state's two largest cities. In Philadelphia, where Commonwealth Court had given the school district an opportunity to demonstrate the effectiveness of a so-called "voluntary desegregation" plan, the Commission found that the plan had not resulted in desegregating schools and again appealed to the

court to order mandatory desegregation. In Pittsburgh a new desegregation plan was submitted by the school board, but the Commission found that the plan failed to desegregate either the city's elementary schools or its high schools, and asked Commonwealth Court to find the board in contempt of court for failing to obey the Court's desegregation orders.

At the year's end, both matters were still pending in Commonwealth Court.

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## Helping the Employer Help the Handicapped Help Themselves

The Commission, in administering the handicap and disability provisions of the Pennsylvania Human Relations Act, is a firm believer that most handicapped and disabled persons want to — and will — help themselves if obstacles are removed from their path. The Commission — through enforcement procedures and technical assistance — frequently helps employers remove such obstacles, as is illustrated by a situation in the Pittsburgh area.

A young woman who is blind filed a complaint after she was denied an opportunity to apply for a job doing sales work by telephone solicitation. The company was unwilling to make an offer of employment until it understood the special problems that a blind person might encounter on the job, and until it knew whether it would be reasonably possible to accommodate the special needs of the Complainant without undue hardship to the company. The company sought and received assistance from the Greater Pittsburgh Guild for the Blind, whose director and another staff member examined the physical

layout of the telephone room, learned the job duties and evaluated the problems a blind person might encounter. Once the company was assured that the necessary training could be provided by the Guild and that the expense of such training would be paid by the Office of the Visually Handicapped, it was willing to enter into an agreement that was satisfactory to all parties.

In the extended and sensitive negotiations leading up to the settlement of this case, the Complainant received additional legal assistance from the Developmental Disabilities Law Project of the University of Pittsburgh School of Law.

In the agreement finally approved by the Complainant, the company and the Commission provided that once the young woman had completed her training to the satisfaction of the Director of the Guild, she would be hired for an appropriate job opening by the company. The Company also agreed to allow her to use her own typewriter on the job and to change certain company materials into a form and format she can use.



# COMMUNITY SERVICES

The Commission concentrated a great deal of staff time and effort on assistance to local human relations commissions. These local agencies — some with enforcement authority, some armed only with powers of education and persuasion — received a variety of services from the Pennsylvania Commission, ranging from research on specific problems to assistance in conducting workshops and seminars. Such services were provided in 60 communities during the past year.

Eleven workshops on affirmative action were sponsored or cosponsored by the Commission — to help employers understand how affirmative action works, and to encourage its use to bring minorities and women into areas of the workplace where they are not represented. Approximately 1,500 persons took part in these events. One workshop in the North Central part of the state involved representatives of industries in five counties, the Office of Employment Service and the Governor's Committee on the Handicapped. The workshop focused special attention on affirmative action in behalf of handicapped and disabled persons.

Other conferences with local and regional agencies and organizations were devoted to problems of racial tension. During the past year the Commission performed the work of referring calls for help in tension situations to the appropriate agency or combination of agencies — local, state and federal. The Commission responded to a total of 42 tension calls, ranging from vandalism and harassment of individuals to activities by the Ku Klux Klan. The Commission assigned docket numbers to 22 situations which required substantial investment of staff time and field contacts. By category or type of tension incident, the largest number involved activities of the KKK, school situations and moves by Black families into houses or apartments in previously White neighborhoods. Because of the number and severity of tension incidents involving move-ins in Eastern Delaware County, the Commission

authorized an investigatory public hearing to document the facts and to recommend ways to improve the situation. Two days of public hearings took place in Yeadon and Upper Darby after the close of the report period.

In six areas of the state, educational activities were carried out by members of citizen Advisory Councils appointed by the Commission. Activities and accomplishments by these Councils, whose membership is listed later in the report, included the following:

**Blair County** — More than 50 major employers took part in an employment seminar sponsored by the Council. The Council also handled many citizen inquiries received as a result of a public affairs spot announcement on television.

**Centre County** — Members of the Council helped to mediate a dispute between members of the Jewish Community and members of the Black Community and to resolve tensions connected with KKK activity.

**Eastern Montgomery County** — The Council served as a consultant to the human relations committee established in Abington and helped to review the township's affirmative action plan. The Council also held a town meeting attended by 300 persons in the Cheltenham area.

**Johnstown** — About 150 employers and company personnel participated in an employment seminar sponsored by the Council. The Council also monitored school board meetings and established an annual scholarship award.

**McKeesport** — Members of the Council monitored human relations problems involving city government and the public school system. They advised citizens of their opportunities and obligations under the Act.

**York County** — The Council initiated work on an update of a human relations survey done in York 20 years ago, sponsored a housing seminar, and helped to reduce racial tension connected with a strike of garbage workers.

## ADVISORY COUNCIL MEMBERS

July 1, 1979 — June 30, 1980

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# THE COMMISSIONERS

The staff of the agency, in carrying out all of the activities outlined in this report, was guided by policies established by the 11 men and women who served as Commissioners of the Pennsylvania Human Relations Commission.

These citizens, in directing the agency's course, compile an impressive set of statistics each year reflecting their own workload. Their activities last year are summarized in the following chart:

Final Orders approved .....	8
Consent Orders, Conciliation	
Agreements approved .....	43
Commission Meetings .....	12
Compliance Sessions .....	12
Training Institute Sessions .....	3
Public Hearings Conducted .....	13
Number of Days of Hearing .....	25
Pre-Hearing Conferences .....	24
Review and determination of staff recommendations for disposition of complaints .....	2,692
Review and determination of petitions for reconsideration of complaint dispositions .....	112

Commissioners also deliberated and took action on a number of other important matters, including new regulations and guidelines. Proposed changes in the Commission's procedural regulations were adopted and sent to the Justice Department for review and approval, together with proposed guidelines on affirmative action. Commissioners also approved in principle a set of guidelines on sexual harassment that were proposed by the U.S. Equal Employment Opportunity Commission, but delayed final approval until after the close of the report period when the federal agency promulgated its final guidelines.

The Commission renewed its endorsement of the proposal to have January 15th designated as a national holiday honoring the birthdate of the late Dr. Martin Luther King, Jr.



# LEGISLATION

The Commission's legislative recommendations to the Governor and to the members of the General Assembly are set forth in this section of our report, along with a brief explanation of each action suggested.

The foremost recommendation of the Commission is again for a technical amendment to the Pennsylvania Human Relations Act to authorize the Commission to appoint a hearing examiner to conduct public hearings and to make recommendations to the Commission for final disposition by them. The Act, as currently worded, specifies that hearings must be conducted by three members of the Commission. This is a cumbersome and time consuming process that leads to delays in scheduling and inconvenience to all parties involved. A hearing examiner would expedite the scheduling and conduct of public hearings, and would further standardize the procedures used in public hearings. Decisions in cases heard by a hearing examiner would be made by majority vote of the Commission — as is presently done.

The Commission also recommends the following changes or additions to the Pennsylvania Human Relations Act:

- Strengthen housing provisions of the law to prevent such practices as panic-selling and racial steering. Most — but not all — of the overt kinds of racial discrimination in housing have been replaced by these and other more sophisticated techniques. In panic-selling, unscrupulous real estate salespeople use a variety of racial scare tactics to frighten White homeowners — often elderly — into selling their houses. "Racial steering" is the term used to describe a variety of techniques employed by some real estate firms to encourage homeseekers who are White to buy homes in all-White neighborhoods, and to maneuver Blacks into all-Black or already-integrated neighborhoods.
- Redefine "age" in the Act to prohibit discrimination in employment against persons "40 years of age or older." The law

currently limits protection against age discrimination to persons "40 to 62" years of age. Federal law generally protects workers from discrimination to age 70.

- Authorize the Commission to award compensatory damages to victims of discrimination. Except for back pay, the Pennsylvania Human Relations Act does not specify that any other forms of compensation may be awarded to persons who suffer a loss as a result of a violation of the Act, and the courts have ruled that the Commission does not have any inherent authority to help make the victim "whole," as federal law generally provides.
- Prohibit discrimination in programs of those who receive funds from the federal and/or state government, and provide for the Commission to grant technical assistance to recipients of such funds to enforce compliance.
- Specifically prohibit retaliation against persons who have filed complaints or been witnesses in housing or public accommodations cases. The law does prohibit such retaliation in employment cases, but — because of legislative oversight, the Commission believes — the provision currently is not applicable to other kinds of discrimination.
- Extend the time period for filing of complaints from 90 days to 180 days, to better protect victims of discrimination and to make the Act consistent with Title VII of the U.S. Civil Rights Act of 1964.
- Increase the present \$30 per diem compensation to Commissioners engaged in Commission business, commensurate with the amounts paid in other similarly constituted agencies.
- Specify that a majority of Commissioners in office shall constitute a quorum, and state that a majority vote shall be sufficient to convene an investigatory hearing to prevent racial tension.

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